


THE
HOUSE SELECT COMMITTEE ON ASSASSINATIONS
INVESTIGATION INTO THE DEATH OF
PRESIDENT JOHN F. KENNEDY

Accepted by the Graduate Faculty
Indiana University at South Bend


in partial fulfillment of the requirements of the degree of

THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS
INVESTIGATION INTO THE DEATH OF PRESIDENT JOHN F. KENNEDY


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Submitted to the faculty of Indiana University South Bend
in partial fulfillment of the requirements for the degree of
master of liberal studies
in the Division of Liberal Arts and Sciences
Indiana University

Date of Oral Examination

December 14, 1998

December 1998

ACKNOWLEDGEMENTS

THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS INVESTIGATION INTO THE DEATH OF PRESIDENT JOHN F. KENNEDY

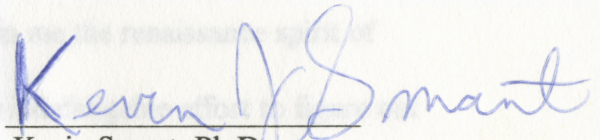
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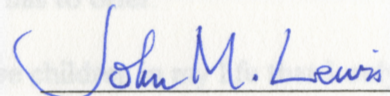
Martin Shackelford, who faithfully answered my barrage of e-mail questions concerning the Kennedy assassination. He was a member of the House Select Committee on Assassinations in particular. He was a great resource for his tireless efforts in helping out others in the research community, without ever seeking self-recognition or praise.

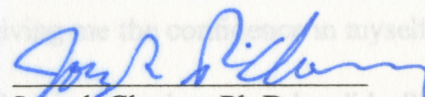
I would like to thank my mother for first leading me to the research world of exploration when it came to the mysteries that require the use of their complexities. I would also like to thank the members of the committee for causing me to arise from my dogmatic slumbers and giving me hope in late 1996 when I had lost the very will to rediscover the beautiful life has to offer.

I never want to forget or take for granted the lives of those who have as much positive influence on them as they have on me: Paige, Benjamin, Kylie, Amy and Shelby. I love them all dearly.

But mostly I want to thank my wife, Debbie, for giving me the confidence in myself that I never realized was there. She believed in me when I did not. She always pushed me forward, but never shoved. She made sure I had all the necessary tools to complete my project. She always tolerated my constant discussing of the case and probably knows more about the Kennedy assassination than she ever desired. Thanks


Kevin Smant, Ph.D.
(Project Advisor)


John M. Lewis, Ph.D.


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ACKNOWLEDGEMENTS

I wish to thank the following individuals as I prepared my thesis to complete my Master's Degree.

Martin Shackelford, who faithfully answered my barrage of e-mail questions concerning the Kennedy assassination in general and the House Select Committee on Assassinations in particular. He never seems to get enough praise for his tireless efforts in helping out others in the research community, without ever seeking self-adulation or praise.

I would like to thank my mother for first instilling in me the renaissance spirit of exploration when it came to the mysteries that require indefatigable effort to figure out their complexities. I would also like to thank the members of Alcoholics Anonymous for causing me to arise from my dogmatic slumbers and giving me hope in late 1996 when I had lost the very will to rediscover the beauties life has to offer.

I never want to forget or take for granted the five children in my life that I only hope I have as much positive influence on them as they have on me: Paige, Benjamin, Kylie, Amy and Shelby. I love them all dearly.

But mostly I want to thank my wife, Debbie, for giving me the confidence in myself that I never realized was there. She believed in me when it seemed no one else did. She always pushed me forward, but never shoved. She made sure I had all the necessary tools to complete my project. She always tolerated my constant discussing of the case and probably knows more about the Kennedy assassination than she ever desired. Thanks

honey for all of your support: emotional, physical, psychological, and spiritual. Your love, devotion, and commitment have helped me develop into the person that God wants me to be.

Thanks also be to God for answering my many prayer requests and for understanding my failings and weaknesses. He always gave me strength when I most needed it. *Sola*

Deo Gloria!

Nellie Connally

Robert Groden

September 7, 1978

Ida Dox

Dr. Lowell Levine

Calvin S. McCamy

Dr. Michael Baden

Dr. James J. Humes

Dr. Cyril Wecht

September 8, 1978

Dr. Charles Petty

Larry Sturdivan

Monty Lutz

Donald Champagne

John S. Bates

Andrew Newquist

Vincent P. Quinn

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William Hartmann

Dr. James Barger

Paul McCaghren

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Thomas J. Kelley

James J. Rowley

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James R. Malley

James H. Gale

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Gerald Ford

John Sherman Cooper

John J. McCloy

J. Lee Rankin

Nicholas Katzenbach

September 22, 1978

Richard Helms

September 25, 1978

INTRODUCTION

Clyde Collins Snow

Bob R. Hunt

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Jacqueline Hess

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Joseph McNally

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Capt. Jack Revill

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Lewis McWillie

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Santos Trafficante

Ralph Salerno

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Dr. James Barger

Dr. Mark Weiss

Dr. Ernest Aschkenasy

H. B. McLain

On November 22, 1963, President John F. Kennedy was in Dallas as part of a five-city tour, which would have culminated with a dinner at the Governor's mansion in Austin, Texas. President Kennedy was near the end of his motorcade route in Dallas, when he was fatally wounded while traveling down Elm street on his way to the Dallas Trade Mart, where he was going to give a speech. As a result of this tragedy, then President Lyndon B. Johnson appointed the Warren Commission on November 29, 1963, one week after the assassination. Their investigation concluded that Lee Harvey Oswald had acted alone, without any conspiratorial forces aiding him, neither foreign or domestic. The House Select Committee on Assassinations concluded, fourteen years later, that Lee Harvey Oswald had indeed assassinated President Kennedy, but that he was killed by means of a conspiracy. At least six government investigations or studies—five at the Federal level and one state/local—were conducted into or as a result of the assassination:

- **The Warren Commission's** investigation on November 29, 1963, and completed with the public release of its report on September 24, 1964, finding Lee Harvey Oswald as the lone assassin. (The Warren Report was itself founded in part on a five-volume FBI report delivered on December 9, 1963).

The Warren Commission:

Chief Justice Earl Warren

• Representative Gerald Ford *United States Select Committee to Study Governmental*

Senator Richard B. Russell *Intelligence Activities in 1975-1976 - Also known as: The*

Church Committee - Schweiker/Hart Subcommittee - Book V of Final Report: The

Allen Dulles, former head of the CIA

Senator John Sherman Cooper

John J. McCloy, former president of the World Bank

Representative Hale Boggs

- **The Clark Panel:** an inquiry by a panel of pathologists appointed by Attorney General Ramsey Clark in February 1968 who examined the available autopsy photographs and x-rays.
- **The Trial of Clay Shaw** - the 1968 conspiracy trial brought by New Orleans District Attorney Jim Garrison.
- **The Rockefeller Commission** - an investigation of the CIA, begun in March 1975, which devoted a section of its report to possible links between the assassination and various CIA operatives.

Nelson Rockefeller

Lane Kirkland

C. Douglas Dillon

Erwin S. Griswald

Lyman L. Lemnitzer

Edgar F. Shannon, Jr.

John T. Connor

Ronald Reagan

- **The Church Committee** - United States Select Committee to Study Governmental Operations with Respect to Intelligence Activities in 1975-1976 - Also known as: The Church Committee - Schweiker/Hart Subcommittee - Book V of Final Report: The

Investigation of the Assassination of President John F. Kennedy: Performance of the
Intelligence Agencies.

Frank Church

Robert Morgan

Barry Goldwater

Phillip A. Hart

Gary Hart

Charles McC. Mathias

Walter F. Mondale

John G. Tower

Richard Schweiker

Walter D. Huddleston

Howard H. Baker

- **The House Select Committee on Assassinations** - begun in 1976 and issued the report of "probable conspiracy" on July 22, 1979.

Louis Stokes

Samuel L. Devine

Harold Ford

Walter E. Fauntroy

Charles Thone

Robert W. Edgar

Christopher J. Dodd

Richardson Preyer

Stewart B. McKinney

Floyd J. Fithian

Yvonne Braithwaite Burke

Harold S. Sawyer

The following guide is a compilation of data based on the governmental investigation of the assassination of President John F. Kennedy during the years of 1976 - 1979. It will serve as an easy guidebook for anyone to utilize who wants to know what the salient features were of anyone's testimony who appeared in public session. I have narrowed down one aspect of this investigation to include the fifty-two witnesses that appeared before the committee in public session. The majority of the witnesses were specialists in a particular field that would lend some type of credence to whatever topic was being broached. The House Select Committee on Assassinations held public sessions during the last four months of 1978. They wrote a 686 page report of their findings that was supplemented by 12 volumes of testimony and exhibits. The first five volumes contain the public testimony of the 52 witnesses. This particular study will not include depositions, affidavits or any of the executive sessions. It will also not include interviews that were taken by investigators. One of the reasons for this is the unavailability of some or most of these documents. Since the Assassinations Records Review Board commenced in 1992, many documents and files have been released. Since all have not been released at this point, only a fragmented study would be possible.

A brief history of the formation of the House Select Committee on Assassinations will be presented during the testimony of Robert Groden, since he was vitally instrumental in

the formation of the House Committee. The majority of the project will be the 52 witnesses synthesized and encapsulated as to what they testified to before the committee and what each of their salient points were.

PURPOSE

My study will serve as a handy guide to anyone who is interested in knowing what was stated in public testimony before the House Select Committee on Assassinations. It will be a time-saver for those who care to see the material synthesized in a readable fashion. Many people who don't have the time to do all of the tedious reading and research will be able to access the information quickly and easily without becoming encumbered and bogged down in the morass of data that is always before them in this field of study.

I will hopefully be able to correct some of the sloppy work that has been done in this field previously. When I located the only index I could find on the 12 volumes and the report of the HSCA, I discovered that when the witnesses were listed who appeared in public session there was an error in the roll call. This particular book listed fifty-six witnesses. I can assure you only fifty-two witnesses appeared before the Committee. The public testimony only appears in the first five volumes. I have now read the first five volumes of the HSCA five times. Those extra four are not there. This, along with any other errors I might discover, will also be dealt with in my project.

BACKGROUND/QUALIFICATIONS

PROCESS

I will take the fifty-two witnesses, in chronological order, who appeared before the committee in public testimony and do a micro-study of their testimony. It will serve as an easy guidebook for anyone who wants to know what the salient features were of anyone's testimony who appeared in public session. Nine of the witnesses also appeared before the Warren Commission fourteen years earlier. I will compare their HSCA (House Select Committee on Assassinations) testimony to their WC (Warren Commission) testimony to see what the similarities and differences might be. This is not to be just another study on some aspect of the Kennedy assassination, but a serious analysis of the most recent governmental inquiry into the death of President John F. Kennedy. I will attempt to look as objectively as I can at the data and let the testimony speak for itself.

The Warren Commission's conclusions will be compared with that of the HSCA's when there is a need to demonstrate the differences between the two investigations. This will only arise in this study if the public testimony shows a necessity to do so for the sake of contrast and clarity. When I am finished, anyone who wants to know what any witness that appeared in public session said will be able to locate it quickly and find an exegesis of that person's testimony.

BACKGROUND/QUALIFICATIONS

Chief Counsel of The House Select Committee on Assassinations, G. Robert Blakey, introduced almost every witness with a narrative that announced the area of expertise of the person who was about to be interviewed. I will attempt to do the same when necessary. I will also read the testimony of the HSCA witnesses before the Warren Commission, as a way to compare and contrast their testimony for any relevant similarities or differences. I have secured the 686-page Report with the accompanying 12 volumes of testimony and exhibits on CD-ROM to be able to access the data that in a quick and easy manner. I have also secured the 888-page Report known as the Warren Report with the accompanying 26 volumes of testimony and exhibits on CD-ROM. I have also been able to obtain over 150 books, magazines, and photographs to help stay up on the current data and controversies. I have checked out most of the web sites on the subject and am in the process of putting together a web site of my own. Hopefully it will be completed soon. I have corresponded with some of the most respected researchers in the field via e-mail. I interact with both Warren Commission advocates and conspiracy advocates alike. I am also on the e-mail list of the Assassination Records Review Board to stay up on the latest revelations of the files that are being released. These will only be mentioned if they play a role or are connected with the 52 witnesses of the HSCA. In view of the great mass of data on the subject, I must stay confined to my rigid focus for fear of not being thorough on my own subject. In recent months I have been fortunate enough to have been asked to give an occasional public lecture on the subject of the JFK Assassination with video and slides as a tool to demonstrate my particular findings on the subject. It has been an interest of mine for about 23 years.

PREVIOUS WORK

When I perused all of the data on the subject I found an enormous amount of material on the Warren Commission and their findings. Entire books had been written on the subject, with the witnesses being analyzed and indexes compiled after the findings had been published. This was done because the Warren Commission provides no index to all of the 26 volumes of testimony and exhibits. The House Select Committee on Assassinations has gone virtually untouched as far as books being written on the subject. When I searched the literature on the HSCA, I found a lot of references on the subject scattered throughout a multitude of different books. There was not one book that dealt with the investigation of the HSCA in any systematic fashion. If you wanted to know what any of the witnesses said in public testimony, you had to search the indexes of a number of books hoping to piece together some kind of coherent pattern to your inquiry. What I am doing has never been done before in any systematic fashion.

This is not a project that has any hidden agenda to promote. It will simply be a compilation of data that can serve as a guidebook for those interested in investigating this aspect of the case involving the House Select Committee on Assassinations. It will be thorough and serious in its approach. Finally, my hope is that the writing will be clear without being plain, and elevated without being obscure.

001: John B. Connally Gov. Connally **September 6, 1978 (w/Mrs. Nellie Connally)**

John Connally was the governor of Texas in 1963. He was also riding in the limousine with President Kennedy on that fateful day in Dallas. He was the first of 52 witnesses called to testify in the Public Hearings before The House Select Committee on Assassinations. He was one of 9 people who appeared before the Warren Commission, who would also appear before the House Select Committee on Assassinations. For the most part he simply repeated his testimony before the Warren Commission fourteen years earlier. In fact, he never deviated from his original testimony until the day he died.

Connally states, again, that he heard the first shot and it did not hit him. Mrs. Connally said she also heard the first shot, turned to her right and saw JFK clutching his throat.

Gov. Connally said after he heard the first shot he attempted to get a glimpse of JFK by turning to his right, but was unable to see the President and was in the process of turning back to his left when he felt as if someone hit him in his back with a doubled-up fist. Now if Gov. Connally was sitting inboard of JFK, then he should have been able to see him, hence the need to turn back to his left. The Zapruder film clearly indicates the same scenario. Remember, the "single bullet theory" states that the bullet was traveling from right to left, which of course would make Gov. Connally an unlikely target in the plot.

Gov. Connally says he didn't hear the second shot, probably because the bullet was traveling faster than the speed of sound. When Mr. Devine, a member of the House Committee on Assassinations, began his questioning of the Governor and his wife, he said he knew that the Governor appeared before the Warren Commission, but wasn't sure if his wife, Nellie, had. It makes one at least wonder if he even read any of their testimony, because if he had read the record he certainly would have known Mrs. Connally testified, since she appeared with her husband. The juxtaposition of the two appearances would have at least permitted the possibility of fleshing out some details. The Committee members who were asking the questions ought to have been better prepared. When being

questioned by Mr. Edgar, Gov. Connally suggested that he "might" have put his right hand on his left thigh, giving plausibility to the wrist and thigh wounds. The Zapruder film does not indicate this.

The combined testimony of the Governor and his wife seemingly destroys the possibility of the Single Bullet Theory. It is an easy progression: 1st shot hit JFK as he is seen clutching his throat by Mrs. Connally. 2nd shot hit the Governor as he and she so testified. The 3rd shot hit JFK in the head (Z-313), as they both testified.

In a statement before the Warren Commission, Gov. Connally testified that although he was keenly aware of the chest wound, he had no idea at the time that he had been wounded in the wrist or thigh (*WC Hearings*, IV, 135). Perhaps the pain of the chest wound blocked out any sensation from the others; perhaps they occurred after he went into shock from the chest wound.

Initially, Gov. Connally gave nothing more than a primer, albeit interesting, of Texas politics and its many machinations. He probably told the Committee more than it needed to know about the tension between Senator Yarborough and Vice-President Johnson. His comments are interesting, but totally unrelated to the assassination. The oddity is that despite the combined testimony of the Governor and his wife, which seems to discredit the Single Bullet Theory (the sine qua non of the Warren Commission), he stated repeatedly until the very end of his life that he didn't believe in a conspiracy and rubber stamped the Warren Commission and their findings.

The House Select Committee on Assassinations chose not to believe Gov. Connally about his perception of the shots. Neither the Warren Commission nor the House Select Committee on Assassinations played word games with this witness. He knew about guns, and he was there. They did, however, choose to believe that he was mistaken about the sequence of the shots. It is odd that someone who knew about rifles and was there was disbelieved, whereas a junior counsel with no experience with rifles and who wasn't there was believed.

002: Mrs. John B. Connally September 6, 1978 (w/Gov. John B. Connally)

Mrs. Connally testified with her husband before The House Select Committee on Assassinations, just as she did before The Warren Commission in 1964. She seems to speak forthrightly and with confidence. She states, "I know it was the second shot that hit the Governor." To quote, "I heard three shots, I had three reactions, three separate reactions. The first shot, then I looked and saw the President, the second shot, John, and third, all this matter all over us." The interrogators attempt to downplay this by getting Mrs. Connally to speculate about whether she was looking at the President or her husband when the second shot was fired. When this comes up in talking with Mr. Dodd, she said she thinks she was looking at the President when her husband was hit with the second round of gunfire. She said the President reacted to the first gunshot by clutching at his throat, while the Governor seemed to indicate no reaction at all.

Mrs. Connally corroborated the eyewitness portion of her husband's testimony, though obviously she had no knowledge of which wounds he felt and when. She testified to hearing Mrs. Kennedy say, after the third shot, "I have his brains in my hand." Mrs. Connally had stated the same thing before the Warren Commission (*WC Hearings*, IV, 148).

When Mr. Devine began questioning Mrs. Connally, he said he is not sure if she testified before the Warren Commission (see Gov. Connally's testimony). Didn't he know he was going to question her? Didn't he want to compare her Warren Commission testimony with what she was going to say before The House Select Committee on Assassinations? This is all about being informed, not necessarily trying to deceive her. When questioned regarding the Grassy Knoll, there doesn't seem to be much space given to its possibility as a position for an assassin. This seems odd since the acoustical analysis

led the HSCA to determine that a possible conspiracy did exist with the grassy knoll as the place where the frontal shooter was stationed.

When Mrs. Connally and her husband testify you certainly get the impression they are telling the story exactly as they remember it. They thought all of the shots came from the direction of the Texas School Book Depository.

003: Robert J. Groden

September 6, 1978

Robert Groden was a photo-optical technician who had enhanced the Zapruder film in his private time and had been partially responsible for many members of Congress becoming convinced to reopen the Kennedy assassination case.

The formation of The House Select Committee on Assassinations really began with Robert Groden. On March 6, 1975, on ABC-TV's Goodnight America, Groden showed his optically enhanced version of the Zapruder film. There may never have been a second investigation into the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. without this public display and the public outcry that followed the presentation of the Zapruder film on national television.

The House Select Committee on Assassinations was established in September 1976 by House Resolution 1540, which authorized a full and complete investigation of the circumstances surrounding the deaths of President Kennedy and Dr. King. The committee expired as the term of the 94th Congress ended on January 3, 1977. On February 2, 1977, the House passed HR 222, again authorizing the committee and directing it not only to investigate the deaths of President Kennedy and Dr. King, but also to determine whether existing laws that cover assassination are adequate. The House also wanted to see if there had been a full sharing of information by federal agencies during the course of prior investigations. HR 222 extended the committee for only two months. Another resolution,

HR 433, was passed on March 30, 1977, constituting the committee until January 3, 1979. Although the critics had lobbied diligently for congressional action, the principal impetus for the overwhelming political support of HR 1540 (it passed the House by a vote of 280 to 65) came from another source – the Final Report of the Senate Select Committee on Governmental Operations with Respect to Intelligence Activities. In its report, dated April 1976, the Senate committee published revelations that raised in the minds of many the serious possibility of government complicity in both assassinations.

Groden, a photographic consultant to the Committee who had made the famous optical enhancement of the Zapruder film, testified. He was not allowed to mention his findings of forgery in the autopsy photographs, or to state that the Committee's synchronization of the recorded shots to the Zapruder film was incorrect.

Congressman Richardson Preyer asked him, "From the Zapruder film and your analysis of that, is it your opinion that the first shot that hit President Kennedy also hit Governor Connally? I wasn't quite clear on your description of that" (*HSCA Hearings*, I, 61-140).

Groden replied: "It would appear photographically that analysis of the film would show that the two men were struck by at least two if not more separate nonfatal shots prior to the head shot."

"Would you say that again, each man was hit by at least two shots?" Preyer asked.

"No, more than the single bullet was involved in the actual nonfatal wounding of both men."

"But you are not giving your opinion as to whether the shot which hit President Kennedy in the throat, the first shot, whether that was the shot that hit Governor Connally or not?"

"I do not believe that they are the same bullet. I severely question that particular conclusion."

"Have any questions been raised about the Kennedy autopsy photographs?" Preyer asked Groden (*HSCA Hearings*, I, 129).

"The autopsy photographs also came into a great deal of challenge by the Warren Commission critics in that the reports dealing with the autopsy photographs from different groups going into the Archives to view them gave such markedly different results, at least verbal results, as described in relationship to each other and to the medical personnel at Parkland Hospital who seem to describe totally different wounds than those seen in the photographs described."

"Fine." That was as far as Groden was allowed to go on the subject of the autopsy photographs. Most significantly, however, the Committee did publish Groden's statement that the photos were forged. Groden went on to say that the famous "backyard" photographs of Oswald holding a rifle and radical publications were fake too, with a face pasted onto someone else's body (*HSCA Hearings*, I, 124).

Robert Groden was asked to testify before the House Select Committee on Assassinations in order to put all of the issues of the critics (those who oppose the lone-assassin theory of the Warren Commission) on the table for the committee to compare with the Warren Commission.

004: Ida Dox **September 7, 1978**

Ms. Dox was a graduate from Johns Hopkins Medical School, Department of Art as applied to Medicine. At the time of the public hearings, she was a medical illustrator for the Department of Medical-Dental Communication at the Georgetown University Schools of Medicine and Dentistry. The Committee contacted the Medical School and Ms. Dox was recommended.

On the day Ida Dox testified before the House Select Committee on Assassinations, there was a large poster-sized exhibit showing the back of John Kennedy's head. In the drawing two hands held a ruler. The rear of the head was intact, except for a small bullet

hole near the top.

It was a photograph of House Committee Exhibit F-36. Behind it were two others, one of the throat wound, another of the back wound. No drawing was published of any of the autopsy photographs taken from the front or right side, photos which showed the full extent of the fatal wound, because those photographs would necessarily include a partial view of Kennedy's face. Ms. Dox testified that one such drawing, of the side of the head, was in fact prepared, but not shown on grounds of taste.

The determination on what to illustrate was done by consultation between the staff of the committee, the medical panel and Ms. Dox. She initially traced the autopsy photographs and then filled in the final details, such as shading, by looking at the photographs themselves. She stated in her testimony that she used duplicate copies of the original autopsy photographs so as to not unnecessarily use the time of the National Archives. The drawings were not schematic representations like the ones prepared under the direction of Commander Humes (one of three who performed the autopsy on President Kennedy), but precise reproductions made from the autopsy photographs. The drawings were so precise that the archivist who watched her at work said he could not tell the difference between the photograph and the drawing.

These drawings were available to the public before the actual photographs were, which still, though widely published, have not been officially released.

005: Dr. Lowell Levine September 7, 1978 (w/Calvin S. McCamy)

Dr. Lowell Levine had received his DDS degree from the New York University College of Dentistry in 1963. He had been in charge of identification of a large number of mass disasters, both in the United States and abroad.

Dr. Levine, a forensic dentist, studied the X-rays of the skull and compared the dental

work with X-rays of President Kennedy's teeth. He testified there was "absolutely no question" that the X-rays in evidence were of the skull of the late President (*HSCA Hearings*, I, 152). His report stated : "It is further my opinion that the unique and individual dental and hard tissue characteristics which may be interpreted from Autopsy Films 1, 2, 3 could *not* be simulated" (*HSCA Hearings*, I, 173).

Dr. Levine was brought in to verify the authenticity of the x-rays. He was subsequently used by Gerald Posner to attempt to verify the remains of Dr. Josef Mengele. He has been used to verify the skeletal remains of victims of airplane crashes. He is highly esteemed and anyone who deals with the medical evidence has to come to grips with the findings of Dr. Levine.

006: Calvin S. McCamy September 7, 12, 14, 15, 1978 (w/ L. Levine & C. Kirk)

Calvin McCamy received his BS degree in chemical engineering and an MS degree from the University of Minnesota. He was a fellow of the Optical Society of America, the Society of Motion Picture and Television Engineers and the Society of Photographic Scientists and Engineers.

Mr. McCamy was a ballistics and photo expert, and one of a panel of 22 experts who analyzed the path and number of bullets fired in Dealey Plaza. McCamy testified that by checking the batch numbers, he had ascertained that the autopsy films in evidence were manufactured in 1963. He also testified that he had checked the autopsy photographs themselves: "We found no disturbing of the surface of the film...nothing taken away...or added...no evidence of any cutting or pasting or construction of a montage, in short, found no evidence whatsoever of any such faking" (*HSCA Hearings*, I, 176-77).

He added that he had viewed the other pictures taken from the same angle stereoscopically -- a procedure that would have revealed even minor differences, as might

exist if there had been imperfect art work. There weren't any. At one point McCamy testified: "Suppose...we take the possibility that someone substituted a body and that it was not the body of the President. Viewing these photographs stereoscopically provides the best kind of view because you can observe not only lateral dimensions but in depth, so it provides the best kind of view for identification" (*HSCA Hearings*, I, 179). McCamy testified that on the basis of his analysis, it was "extremely unlikely" the autopsy pictures were of a substituted body, or pictures which had been altered in any way (*HSCA Hearings*, I, 179).

McCamy, speaking for the a 22-person panel of experts, said virtually all the experts agreed that the now famous roll of film taken by amateur photographer Abraham Zapruder might show Kennedy and Connally reacting to being hit by a single shot (*HSCA Hearings*, II, 142).

007: Dr. Michael Baden

September 7, 1978

Dr. Michael Baden was the chairman of the HSCA's forensic pathology panel. He was also New York City's chief medical examiner. The panel included three pathologists who had previously reviewed the autopsy evidence and six who had not. In order to provide its members with the most complete information available, the panel had specially prepared computer-assisted image enhancement techniques applied to the photographs and X-rays. It also enlisted the aid of several experienced radiologists in interpreting the X-rays. In addition to the photographs and X-rays, the panel studied bullets, clothing, films, medical and autopsy reports from Parkland (Dallas) and Bethesda (Maryland) hospitals, and numerous articles in professional journals. Finally, the panel members interviewed many of the Dallas doctors and autopsy pathologists who worked on President Kennedy and Governor Connally. The result of their deliberations is contained in the report that forms

the most detailed and extensive analysis of the medical evidence in the Kennedy assassination available (*HSCA, Appendix to Hearings 73-198*).

Dr. Baden concluded that there was a possibility, although highly remote, that President Kennedy was struck in the head by a bullet fired from the Grassy Knoll. He stated that the medical evidence of this shot, however, was obliterated by another shot striking JFK in the head from behind a fraction of a second later. Baden maintained that there is no medical evidence indicating that JFK was shot from the front. He told the Committee during public testimony that, regarding the competency of JFK's autopsy, "Some people assume authority and upon others authority is thrust, as happened to Dr. Humes...A well-experienced hospital pathologist...he had not been exposed to many gunshot wounds and had not performed autopsies in deaths due to shooting previously: neither had the other autopsy pathologists present." Although Baden's panel concluded that the autopsist's report did not jibe with the photographic evidence of the autopsy, both the autopsy and the photos indicated that President Kennedy had been shot twice, both times from the rear.

Speaking for the Forensic Pathology Panel, he testified that President Kennedy had been struck twice from behind. Much testimony was devoted to an error Baden claimed the autopsy doctors had made in locating the rear point of entry on the head. They had placed it four inches too low, he said, perhaps because they had written the autopsy report based on memory (*HSCA Hearings, I, 306*).

Representative Preyer asked Baden: "How do you account for that when [they] actually saw the body...and [you] did not?" Replied Baden: "In general, the doctors who perform [an] autopsy have a better opportunity to make valid observations than those who come later, but in this instance, the photographs taken...and the X-rays taken...provide sufficient evidence for the panel members to arrive at valid...independent conclusions" (*HSCA Hearings, I, 300*).

008: Dr. James J. Humes

September 7, 1978

Captain James J. Humes received an M.D. degree from Jefferson Medical College in 1948 and completed his residency in pathology at the Armed Forces Institute of Pathology in 1956. He became chief of anatomic pathology at the National Naval Medical Center in Bethesda, MD in 1960. He became the director of the laboratories at the National Medical Center in 1961.

It may be helpful to delineate Dr. Humes' testimony and experience before the Warren Commission. All three autopsy doctors were present in the same hearing room when Commander Humes was questioned by the Warren Commission. The other two would, after swearing-in and greetings, agree to his findings. Before and after their combined appearance, a total of 92 other individuals were each asked more questions than the three pathologists *combined*. While statistics can mislead, I find those numbers a numbing condemnation of the methods of the Warren Commission.

In establishing his *bona fides*, Humes indicated that his experience in pathology included "violent deaths, accidents, suicides, and so forth" (*WC Hearings*, II, 348).

When asked who else was present at the autopsy, Humes answered that he was able to remember Galloway, Stover, and Ebersole (none of whom was called before the WC). This selective memory (which indicated that either Humes did not know the names of his staff members, such as Jenkins, O'Connor, Custer, or Reed, or that he had no staff, or that he was totally unaware of the many people in the room that night) suggests incompetence. An absence of answer also put less demands on the Commission, as men like Paul O'Connor nevertheless saw a different JFK than appeared in either the autopsy report or the photographs. Humes was also quite low in his estimates of the number of photos taken (*WC Hearings*, II, 349).

Humes was asked to submit drawings prepared by a Navy medical illustrator based on his descriptions of JFK. Are we to believe that he could not have put his finger on a cadaver for the illustrator and said, "Here"? He added that for "absolute accuracy" the photos would be necessary, but since they were not made available, we must rely on his descriptions and bypass "absolute accuracy" (*WC Hearings*, II, 350).

Arlen Specter, discussing the fragments, asked a question with a foregone conclusion: "Were these all fragments that were injected into the skull by *the bullet*?" (*WC Hearings*, II, 353 [my emphasis]). It was Specter's way of limiting testimony to one bullet.

Humes testified that the autopsy ended at approximately 11 pm (*WC Hearings*, II, 349). He would add, "Sometime later on that evening or very early the next morning, while we were still engaged in continuing our examination, I was presented with three loose portions of bone..." which he went on to say roughly filled the defect in JFK's skull (*WC Hearings*, II, 354). As we know, the bone called the "Harper fragment" was not found until the *following* day. That also begs the question, for if the autopsy ended at 11, how was anything done "very early the next morning"?

Humes was unable to describe the large skull defect except to say it was 13cm (5 inches) at one point. Specter asked how a 6.5mm bullet could make a 15 by 6mm hole, and Humes answered, "skin recoil" (*WC Hearings*, II, 356). The next question should have been, "Through bone?" Humes was asked if he saw the President's clothing and he answered, "Yes, yesterday..." suggesting the rehearsal of testimony (*WC Hearings*, II, 364). When asked the angle of decline, Humes prefaced his remarks with "Mathematics is not my forte," and then answered, "Approximately 45 degrees from the horizontal" (*WC Hearings*, II, 370).

Specter posited his "assume for the moment" thesis, so he could tailor any answer to his question, and Humes seemed slightly confused. The topic then turned to his burning of a preliminary draft of his report, which is at odds with the oft-told tale that he burned papers with JFK's blood on them (*WC Hearings*, II, 370, 372-73). Did he write the

preliminary autopsy report on bloody paper? Not likely.

Humes then testified that the pristine "magic bullet" did not do the damage done to either Governor Connally's wrist or thigh, (*WC Hearings*, II, 374, 376) and the subject was probed no further. Humes had answered his questions and was excused.

I could think of many questions to round out what the Commission avoided. Chief among them are why was standard autopsy procedure, in which the examination is verbally recorded into a suspended microphone, discarded? How could the brain weigh 1500 grams when it had been thoroughly shot out? How could one bullet, which left fragments all along the top of the cranium, seriously damage the cerebral peduncles, located above the roof of the mouth, and leave no trace? Commander, have you seen the Zapruder film? Why were secrecy oaths required, if all necessary observations are in the autopsy report? And why didn't you note, for the official record, the names of your staff? Humes was in a tough spot in Bethesda and I think he still knows a little more than he's telling.

The House Select Committee would not be as accommodating. They would grill him behind closed doors in Executive Session mercilessly. They would be somewhat gentler during his public testimony.

Chief Counsel, G. Robert Blakey, announced: "It would be appropriate now, Mr. Chairman, to call Captain Humes." A jowly, tired-looking man stood up. Humes (one of the three original autopsy doctors) was now a professor of pathology at Wayne State University and Vice President of Medical Affairs at St. John's Hospital in Detroit. Congressman Louis Stokes administered the oath. The Committee interrogator was Deputy Chief Counsel Gary Cornwell.

Humes began: "I was summoned from my home late in [the] afternoon of that day by the Surgeon General of the Navy and the Commanding Officer of the Navy Medical School (respectively, Adm. Edward Kenney, Adm. Calvin Galloway, Capt. John Stover), and was told that the body of the late President was being brought to our

laboratories and that I was to examine the President and ascertain the cause of death" (*HSCA Hearings*, I, 324).

Then came a question about when the autopsy began. Replied Humes: "Well, the President's body, as I recall, arrived about 7:35, 7:40 in the evening and after some preliminary examinations, about 8 or 8:15" (*HSCA Hearings*, I, 324). Humes told the Warren Commission: after "certain...other examinations" (*WC Hearings*, II, 349). He included the same detail, just changing "certain other" to "some preliminary."

Cornwell asked: "About what time of the night was the autopsy finally concluded?"

Replied Humes: "Oh, I would estimate around midnight" (*HSCA Hearings*, I, 324).

Cornwell proceeded to say that, as Humes knew, the panel had reviewed his autopsy report, had spoken with him "on one prior occasion," and that there was "...one possible major area of disagreement, and that is with respect to the location of a bullet wound in the back of the President's head..." (*HSCA Hearings*, I, 324-25).

Cornwell asked if it wasn't the case that there was "one and only one bullet wound to the back of the President's head, that it did enter in the rear, exited the front. Is that report accurate on those three points, to the best of your knowledge?"

"Absolutely," replied Humes (*HSCA Hearings*, I, 325).

Cornwell showed Humes the Ida Dox drawing which was the exact replica of an autopsy photograph of the back of the head (there were four such photographs -- two black and white, numbered 17 and 18, and two in color, numbered 42 and 43). Cornwell edged into the controversy. "Our panel of forensic pathologists, of course, were not present during the autopsy, did not have access to the body, and, therefore, you and your colleagues who were there are in a unique position to provide testimony as to the nature of the wounds...." Cornwell then noted that Humes had been examined once before by the House Select Committee, and picked out a spot at the bottom of the back of the head as the entrance wound. Cornwell read one excerpt after another from the transcript to indicate that Humes had steadfastly maintained that what Cornwell referred to as a "small

droplet" at the bottom of the picture was the wound of entry.

Cornwell went through the same points Dr. Petty had enumerated in the closed session which would indicate that the lower position was the artifact, the upper position was the wound: the focus of the pictures, the way the ruler was held, etc.

The time had come for Humes to make a public retraction.

Cornwell asked Humes if he had had "a greater opportunity" to review the photographs "and if, after doing so, you have a more well-considered or a different opinion or whether your opinion is still the same; as to where the point of entry is?"

"Yes, I think that I do have a different opinion," replied Humes, but he said he had several comments to make before answering the question: "I go back further to the original autopsy report which we rendered, in the absence of any photographs of course. We made certain physical observations and measurements of these wounds. I state now those measurements we recorded then were accurate to the best of our ability to discern what we had before our eyes" (*HSCA Hearings*, I, 327).

Now Humes returned to the Ida Dox drawing and the X-ray. And he didn't retract. He did concede that the bullet wound was at the upper location -- not the lower location - but he then maintained that the upper location was the location he described in the autopsy report. "We described the wound of entrance in the posterior scalp as being above and to the right of the external occipital protuberance," said Humes (the autopsy report said the wound was located "2.5cm laterally to the right and slightly above the external occipital protuberance). "And it is obvious to me as I sit here...that the upper defect to which you pointed, or the upper object is clearly in the location of where we said approximately where it was...therefore, I believe that is the wound of entry" (*HSCA Hearings*, I, 327).

Humes then said that he attributed its apparently higher location to underlying skull fractures and the positioning of the head for the photo, "making some distortion of anatomic structures to produce this picture" (*HSCA Hearings*, I, 327).

He said the lower item which he had previously identified he had identified "erroneously" and "would not fit with the original autopsy findings" (*HSCA Hearings*, I, 327).

But it was the X-ray which was the source of measurement -- four inches above the external occipital protuberance. Humes was now asked to step up to the enlargement of the X-ray and identify the wound. "This he did, commenting that it was a 'pleasure' to have such materials. 'I didn't have anything of this kind formerly,'" (*HSCA Hearings*, I, 328) he said. Cornwell asked Humes to describe in words the spot to which he was pointing.

Humes did not back down. "Well, in this approximate area would be about where the external occipital protuberance would be, the knob we can feel in the back of our head. This would be above it." By way of explanation he added: "There is a great enlargement here, so it looks considerably further away than it would be on a standard size film or on the skull...." (*HSCA Hearings*, I, 328-29).

"If I might add, and more importantly, I had the opportunity, which none of the gentlemen had to do, to examine the President's skull from the inside when the brain was removed, with great care. There was one, and only one, wound of entrance" (*HSCA Hearings*, I, 329). Humes said its exact location had embroiled them in "somewhat of a semantic discussion" (*HSCA Hearings*, I, 329).

The X-ray of the head seemed to show large skull fragments. Commenting on them, he made a curious remark: "...this bullet was so disruptive, those fragments I think could virtually be any place" (*HSCA Hearings*, I, 329). It was a strange remark considering that "those fragments" comprised most of the skullcap.

Cornwell then came to the fundamental question -- that the panel had measured the wound on the X-ray and that they placed it at "approximately 10 centimeters above [the] external occipital protuberance. Would that discrepancy be explainable?"

Humes balked: "Well, I have a little trouble with that; 10 centimeters is a significant --

4 inches." Humes then added: "I go back to the fact there was only one, period" (*HSCA Hearings*, I, 329).

That night the newspapers headlined that the autopsy doctor had admitted that he made a four-inch error. But did he admit that? I don't think so. Humes stubbornly maintained that the wound depicted in the evidence was the one he described that night, suggesting that the enlargement on the X-ray might make it appear higher, and specifically stating, when confronted with the 100mm measurement: "I have a little trouble with that...."

The rest of Humes' testimony was over in a few minutes. Humes told how he had called Dallas and learned about the throat wound, how it was decided that a committee of three couldn't write the report, "so I assumed the responsibility," and that he had burned the notes because they were bloodstained (*HSCA Hearings*, I, 330).

One interchange arrested my attention. This testimony seemed significant because of the possibility that a reconstruction was photographed and subsequently used as evidence. Humes said he stayed in the morgue to assist the morticians:

One of the Forensic Pathology's panel members, Allegheny County, Pennsylvania,

CORNWELL: During that period, were there efforts made to reconstruct the President's head?

HUMES: Yes, indeed.

CORNWELL: Would it be accurate to state that those efforts entailed handling of the head over a long period of time?

HUMES: Very accurate (*HSCA Hearings*, I, 331).

(*HSCA, Appendix to Hearings 199-210, HSCA Hearings*, I, 332-73).

Chairman Stokes asked Humes if he had anything to say; he was allowed five minutes to make a statement. Humes said he was "quite elated" that the findings of all the panels that had examined the autopsy X-rays and photographs "in such great detail, are in basic accordance with what we originally ascertained to be the situation. We are pleased by

that.

"Our testimony before the Warren Commission is quite lengthy, as I am sure some of the Committee members are aware. However, I feel it also was hampered by our inability...to never have seen, after about midnight of that night, the X-rays, to never have seen at any time until a year or two after the Warren Commission the photographs which we made" (*HSCA Hearings*, I, 310).

He closed by saying: "I will be pleased to answer any other questions from you, sir, or any other members of the Committee" (*HSCA Hearings*, I, 310).

But there were no other questions.

The committee had tried to impeach his testimony, which stood in the way of their analysis. He should have had legal representation.

009: Dr. Cyril H. Wecht

September 7, 1978

One of the Forensic Pathology's panel members, Allegheny County, Pennsylvania, coroner and former President of the American Academy of Forensic Sciences, Dr. Cyril Wecht, vigorously dissented that all shots came from the rear. He asserted that the single-bullet theory was medically impossible and that the evidence did not rule out the possibility of a shot being fired from the right front and striking the president in the head. The eight other panel members, however, disagreed, and the House Select Committee properly accepted their findings as representing the consensus of medical expertise (*HSCA, Appendix to Hearings* 199-210; *HSCA Hearings*, I, 332-73).

As a member of the forensic pathology panel, which frequently voted 8-1 on matters regarding the numbers and direction of the bullets fired in Dealey Plaza, Wecht often found himself as the lone dissenter.

He had previously testified before the Rockefeller Commission on the assassination,

accusing that Commission of "deliberately distorting and suppressing" part of his testimony. Wecht is regarded by many as the nation's leading expert on forensic pathology.

Mr. Purdy asked: "Dr. Wecht, is it your opinion that no bullet could have caused all of the wounds to President Kennedy and Governor Connally or that Commission Exhibit 399 (the pristine bullet) could not have caused all of the wounds to both men?" (*HSCA Hearings*, I, 333).

"...it is my opinion that no bullet could have caused all these wounds, not only 399, but no other bullet that we know about or any fragment of any bullet that we know about in this case."

Dr. Wecht went on to say: "I have raised some questions concerning the head wound and the possibility... of a second shot fired in synchronized fashion from the right side or the lower right rear, synchronized with the head shot that struck the President in the back of the head" (*HSCA Hearings*, I, 333). Dr. Wecht then went on to complain that they needed the brain to properly examine the evidence, but that long ago he had discovered it was missing from the National Archives (*HSCA Hearings*, I, 333).

He then said that certain tests should have been performed. "Why our panel of distinguished experts with all our expertise and this staff representing a very prominent committee which, in turn, represents the House of Representatives of the United States Congress, why such tests could not be performed is beyond me. I feel constrained to say that they were not performed because people knew full well what the results would be... we are talking about what the condition of the bullet would be if it went through these bones" (*HSCA Hearings*, I, 337).

He was then asked: "Dr. Wecht, is it your opinion, then, that not only is the conclusion of the forensic panel that Commission Exhibit 399 (the pristine bullet which went through all those bones and made all those wounds in President Kennedy and John Connally) is consistent with the wounds, incorrect, you feel it is demonstrably false, is that correct?"

(HSCA Hearings, I, 337).

Wecht replied: "It is absolutely false... I have repeatedly, limited to the context of the forensic pathologist, numerous times implored, beseeched, urged, in writing, orally, privately, collectively, my colleagues; to come up with one bullet, that has done this. I am not talking about 50 percent of the time plus one, 5 percent or 1 percent – just one bullet that has done this... At no time did any of my colleagues ever bring in a bullet from a documented case... it broke two bones in some human being, and look at it, its condition, it is pristine.

"I stand here today and I wonder where that bullet is? Maybe it will be presented by the next member of the majority who has conveniently been sandwiched on the other side of me sometime tomorrow."

It is important to note that in the end, the Committee stayed with the "magic bullet theory," saying that only one bullet hit both men at the same time, but found that there was indeed a fourth shot, which they said missed, as did the first or second shot. The new shot was, they admitted, fired from the grassy knoll.

010: Dr. Charles S. Petty **September 8, 1978**

Dr. Charles Petty received an M.D. degree, cum laude, from Harvard Medical School in 1950 and completed his residency in pathology in 1955 at the New England Deaconess Hospital in Boston, MA. He is certified in the areas of pathological anatomy, clinical pathology, and forensic pathology by the American Board of Pathology. He is a fellow of the American Academy of Forensic Science, the American Association of Pathologists, the American Society of Clinical Pathologists and the College of American Pathologists.

Dr. Charles Petty's testimony was either devoted to debunking the single bullet theory proposed by Dr. Cyril Wecht, or he was merely grouped categorically and anyone who

followed Dr. Wecht would have been an advocate of the magic bullet theory, as Wecht was the lone dissenter on the medical panel. Dr. Petty was only asked eleven questions, but in the course of his answers made statements that are controversial to this day.

If President Kennedy's back wound was a deeply penetrated wound, it had to travel downward, at least initially, unless Kennedy was shot by someone in the trunk of the car. To maintain the single-bullet theory, however, it would have had to go upward, as the entrance was lower than the exit. On the other hand, with the car going down an incline, and Kennedy leaning forward, the idea is that the bullet went downward relative to Dealey Plaza, and upward relative to the upright plane of JFK's body.

Dr. Petty went on to answer Mr. Preyer about what the bullet did after it entered President Kennedy's back. He said it "did not go through the spinal column" (*HSCA Hearings*, I, 377). There seem to be two schools of thought on this. John K. Lattimer, in his book *Kennedy and Lincoln -- Medical and Ballistic Comparisons of Their Assassinations*, shows one of JFK's x-rays that indicate a nick in the spinal column. Others seem to interpret the x-rays as originally showing bullet fragments, then bone fragments, then apparently found to be artifacts similar to those on other x-rays that night. Still others, have thought that the bullet hit no bone and that if there was damage to a bone, it likely resulted from pressure effects of the passing bullet; in other words, secondary damage.

Dr. Petty said that "one cannot determine by looking at a flat two dimensional view of one side of the limousine and the contained individuals precisely what relationship they [Kennedy and Connally] had one to another" (*HSCA Hearings*, I, 377). This is important in determining their relationship on not only a horizontal plane, but a vertical one as well. This is vital when discussing the single-bullet theory. The more fundamental reason for not being able to determine their relationship is that we do not know for sure, or even remotely close (to a certainty), when President Kennedy was first hit from the rear; this seems to be the crux of the problem. There was a time, as we know, when they were

obscured because of the Stemmons Freeway sign. Preceding that, it is very hard to make sense of absolute positions. They are not, however, flat. Stereo viewing is easy to do, and someone who knows how to properly feed the data into a computer can get accurate three-dimensional information which can be studied from any angle. We also have more than one film/photo to work from for various points.

Petty went on to say that there "is no evidence that that bullet actually penetrated the rib" [of Governor Connally] (*HSCA Hearings, I, 377*). That rib, however, was badly shattered, not "slapped." It turned a human rib into a bunch of match heads. This seems a little odd if the bullet merely slapped against it as Petty suggests. I know of no other doctor who has ever postulated this theory. The only other possibility is that this may have been secondary damage with no actual contact.

"The X-rays fail to show any evidence of particles of metal in the chest" (*HSCA Hearings, I, 378*). This may well be true. What is known is that metal was left in Governor Connally. That was never in doubt. The surgeons report indicated that they had fixed the chest wound and were getting ready to go back to the other wounds and remove the bullet.

When Mr. Preyer asked Dr. Petty if "it was accurate to say that the bullet went through the wrist bone" [of Governor Connally], Dr. Petty replied: "I don't believe it did" (*HSCA Hearings, I, 380*). This seems very odd, because when you look at the X-ray, the bone was literally sliced in half on an angle. It would be like saying the football didn't hit the window, yet the glass broke into a hundred pieces and landed eight feet away from where it was – this X-ray has been published and seems to demonstrate this.

In respect to frangible bullets, Dr. Petty stated that they are produced in 22 caliber loads and not produced in larger weapons. Hand loading makes a variety of variations possible. He is talking strictly about what is available off the shelf, which is a mistake. He went on to say that if Kennedy had been hit on the right side of the head, then the left side of his brain would show such evidence. According to Petty, "There are no such

fragments" (*HSCA Hearings*, I, 379). The head X-ray of President Kennedy, however, would support a frangible bullet, as there was a halo-like spray of 40-50 fragments throughout the remaining cortex area. This would account for a portion of a bullet – where is the rest? The question is: If the magic bullet could do all it did and come out undamaged, how did the same type of bullet go all to pieces?

Finally, Dr. Petty states that "there is no evidence whatsoever that the President was shot either from the side or from the front" (*HSCA Hearings*, I, 380). The testimony he has given would support such a view.

011: Larry Sturdivan

September 8, 1978

Larry Sturdivan had degrees in statistics and physics from the University of Delaware and Oklahoma State University. He had studied mathematics and computer sciences at the Ballistics Institute of the Ballistic Research Laboratory, Aberdeen Proving Grounds, MD. He had also been a physical scientist with the Wounds Ballistic Branch of the Aberdeen Proving Ground Vulnerability Laboratory since 1964. He was also a frequent consultant in wound ballistics for such agencies as the Law Enforcement Assistance Administration and the Department of Justice as well as NATO.

The pathologists came to the same determination that the Warren Commission reached, that President Kennedy had been struck by only two bullets: one to the upper right side of the back that exited the throat and one that struck him high on the back of his head.

Strongly reinforcing the pathologists' conclusions was the testimony of **wounds ballistics expert** Larry Sturdivan. In testimony before the committee, Sturdivan stated that, in his opinion, the Zapruder film, the autopsy material, and the ballistics evidence all

substantiated the Warren Commission's finding that all shots were fired from Oswald's rifle. Sturdivan also showed the committee a film of goats being shot to explain the apparent discrepancy between Kennedy's backward head movement and a shot's entering the rear of his head. Sturdivan asserted that the reason for Kennedy's backward head movement was a neuromuscular reaction to the massive destruction of neurological tissue that the bullet caused (*HSCA Hearings*, I, 383-427).

Sturdivan testified that the reason Bullet 399 broke the governor's rib and wrist bones without suffering deformity was that the missile had lost substantial velocity by first going through President Kennedy's neck. Since there is no evidence whatsoever that Bullet 399 wounded either man, Sturdivan's statement was meaningless. Also, tests conducted for the Warren Commission in 1964 revealed that bullets from Oswald's rifle into such diverse substances as a goat's ribs, a cadaver's wrist, a gelatin compound, and cotton invariably suffered damage and mutilation that sharply distinguished them from the virtually intact Bullet 399 (*HSCA Hearings*, I, 393-401).

Sturdivan also stated that Kennedy was not struck in the front of the head by an exploding bullet fired from the Grassy Knoll. The reason, Sturdivan declared, was that the computer-enhanced X-rays of Kennedy's skull do not depict "a cloud of metallic fragments very near the entrance wound." In cases where exploding bullets impact, he asserted that "you would definitely have seen" such a cloud of fragments in the X-ray. Sturdivan's remarks betrayed both his own ignorance of the medical evidence and the committee's careful manipulation of that evidence. Sturdivan saw only the computer-enhanced X-ray of the skull, not the original, unretouched X-rays. Had he seen the originals, he would have observed a cloud of metallic fragments clustered in the right front portion of the head. Furthermore, the closeup photograph of the margins of the large wound in the head shows numerous small fragments. The Forensic Pathology Panel itself noted the presence of "missile dust" near the wound in the front of the head. One of the expert radiologists who examined the X-rays noticed "linear alignment of tiny metallic fragments" located in

the "posterior aspect of the right frontal bone." The chief autopsy pathologist, Dr. James J. Humes, remarked about the numerous metallic fragments like grains of sand scattered near the front head wound. The medical evidence, then, definitely proves the existence of a cloud of fragments in the right front portion of Kennedy's head, convincing evidence, according to Sturdivan, that an exploding bullet actually did strike the president there (*HSCA Hearings*, I, 401; *Appendix to HSCA Hearings*, VII, 131, 119; *WC Report*, 543).

Sturdivan's final observation was that the backward movement of President Kennedy's head was not due to the impact of a bullet fired from the front, but from a neuromuscular reaction caused by massive destruction of his central nervous system. To substantiate this, Sturdivan told the committee that jackrabbits shot in the head automatically spring upward because they experience a similar neuromuscular reaction resulting in the release of tension in their leg muscles. Then Sturdivan showed the committee a film of a goat, its horns taped to a bar, shot between the eyes. Its response to the fatal shot was an arching of the back and a stiffening of the legs. According to Sturdivan, Kennedy's backward movement was identical to the animal's (*HSCA Hearings*, I, 415-17).

That the committee should accept such material as Sturdivan's demonstration as "scientific evidence" furnishes an outstanding example of its lack of objectivity. To the disinterested observer, it is obvious that President Kennedy was neither a jackrabbit or a goat, that he neither sprang upward nor arched his back and straightened his legs after being shot, and that he was not shot between the eyes. The utter irrelevance of the animal films to the Kennedy assassination requires no further demonstration. Yet the committee accepted them as proof that President Kennedy was not shot from the front. For example, committee member Harold Sawyer wrote that the film "of the goat shooting episodes convincingly explained the rearward reaction of the President's head as seen in the Zapruder film and very convincingly demonstrates that it could not have been caused by the frontal impact of a bullet" (*HSCA Report*, 509).

Had the committee exhibited interest in discovering the true explanation of the

backward movement of Kennedy's head, it would have studied the evidence about human, rather than animal, response to bullet wounds. The committee, in fact, already possessed one instance provided in its investigation of the assassination of Dr. Martin Luther King, Jr. (whose assassination they were also investigating simultaneously). As Dr. King leaned forward on the balcony outside his motel room, a bullet fired from the front struck him in the jaw, tore through his mouth, and exploded into his neck. According to Sturdivan's analysis, this front-entering bullet should have propelled Dr. King forward off the balcony onto the ground below. Instead, the bullet knocked Dr. King violently backward, causing him to fall on his back on the balcony floor. Countless other examples, including films of soldiers shot in the head, verify without exception the fact that bullets striking people in the head cause the head to move in the direction of the path of the bullet (*HSCA Report*, 290-91; BBC-TV, *The World at War*, "The Battle of Stalingrad," shows several scenes of soldiers shot in the head).

12: Monty C. Lutz September 8, 1978 (w/Champagne, Bates, Newquist)

Monty Lutz held a B.S. degree in criminal justice from the University of Nebraska and was the Wisconsin Regional Crime Laboratory firearms examiner.

Mr. Lutz was a member of the ballistics panel for the House Select Committee on Assassinations. He was a Wisconsin Regional Crime Laboratory firearms examiner. His particular panel concluded that President Kennedy was shot twice, both times from above and to the rear. Lutz asserted that the bullet's fragmentation was not inconsistent with a Carcano round. Nothing else was added to the record by Mr. Lutz during his portion of the testimony.

013: Donald E. Champagne September 8, 1978 (w/Lutz, Bates, Newquist)

01: Donald Champagne was a firearms and tool mark examiner with the Florida Department of Criminal Law Enforcement in Tallahassee. He had previously served for 15 years as a firearms and tool mark examiner in the Crime Detection Laboratory in Ottawa, Ontario.

Also part of the ballistics panel for the House Committee on Assassinations, Mr. Champagne was a member of the Florida Department of Law Enforcement. Champagne agreed with Lutz about the bullet's fragmentation. He claimed that you can't go by what you've seen before, because there is no way of predicting what is going to happen to a bullet. Further, he would state that you can't say a particular type of bullet is going to do certain things, because once that bullet leaves the muzzle of the weapon, you have no idea what is going to happen with any bullet. He offered the peculiar explanation that the 6.5mm Carcano is a nominal caliber, which doesn't necessarily mean that is the caliber of the bullet.

014: John S. Bates, Jr. September 8, 1978 (w/Lutz, Champagne, Newquist)

John Bates was the senior firearms examiner in the New York State Police laboratory at Albany. He had been a lecturer at the State University of New York at Albany, the New York Police Academy and the New York State Municipal Police Training Council.

Mr. Bates was the senior firearms examiner for the New York State Police Academy. He also was a member of the ballistics panel for the House Committee on Assassinations. He asserted that the bullet that hit President Kennedy in the head would have broken up in a manner that it did upon impact with Kennedy's skull. Nothing else was added to the record by Mr. Bates.

015: Andrew M. Newquist September 8, 1978 (w/Lutz, Champagne, Bates)

Andrew Newquist was a special agent and firearm, tool mark and latent fingerprint examiner for the Iowa Bureau of Criminal Investigation. He was a member and past president of the Association of Firearm and Tool Examiners, and was currently on its executive committee.

Mr. Newquist was a member of the ballistics panel for the House Committee on Assassinations. He stated that the panel was not able to reach a conclusion as to what rifle fired CE-573, or the Walker bullet. It was believed by the Warren Commission that Lee Harvey Oswald fired a shot at retired General Edwin Walker in April of 1963. This of course was used by the Commission to help establish the violent side of Lee Harvey Oswald.

The Dallas Police Department claimed the shell was either a .30-.30 or .3006, which of course Oswald's Mannlicher-Carcano was not. The only witness who saw anyone leave the scene after the shot, a teenage neighbor, reported two men getting into the car. On the other side is the often-cited note by Oswald to Marina, and her testimony. She also testified that he planned to shoot Nixon at a time when Nixon hadn't visited Dallas. It doesn't seem convincing either way whether or not Lee Harvey Oswald fired at General Edwin Walker.

016: Dr. Vincent P. Guinn September 8, 1978

A chemistry professor at the University of California at Irvine, Dr. Guinn presented hard scientific evidence to substantiate his claims. He was also head of the activation analysis program of the general atomic division of General Dynamics Corporation. He

subjected various bullet fragments to neutron activation analysis, a process whereby objects are irradiated with nuclear radiation and the different levels of radiation according to their weight is measured; the precise chemical composition of a substance can be measured in units as tiny as parts per billion. In the field of ballistics, neutron activation analysis has proven a valuable instrument for identifying bullets and bullet fragments (Wahl and Kramer 68-86).

The three pieces of ammunition which linked the rifle to the assassination were found outside anyone's body – bullet 399 on the stretcher, and Commission Exhibits 567 and 569, the two large fragments found in the car on Friday night, November 22, at the White House garage.

But also in evidence were pieces of metal too tiny to be compared under the ballistic microscope, pieces allegedly found inside the bodies of the victims. They were Warren Commission Exhibit 843, two metal fragments removed from the brain (and the only metal removed from Kennedy's body at the autopsy), and Warren Commission Exhibit 842, the fragments removed from Connally's wrist.

The fragments were too small for ballistics tests, and the FBI, within twenty-four hours of the shooting, had done the routine spectrographic examination. Flame spectrography was used: a destructive test in which a tiny sample is burned and the color of the flame compared with known standards to reveal chemical composition. The results reported on November 23, 1963 were inconclusive. All the FBI could report was that the lead in the different samples was "similar," (*WC Hearings*, 24, 263) which is something like saying the "2" in "102" is similar to the "2" in "42" – not very enlightening. Several months later, at the request of the Warren Commission, the FBI attempted neutron activation analysis: a non-destructive test in which two samples to be compared are bombarded by neutrons and their radioactive characteristics compared. That can reveal what trace elements – minor impurities – exist, and in what concentrations; and that, in turn, permits a conclusion about the probability of common origin.

The FBI found the results inconclusive. It was not possible to tell, said their expert, from which of the larger bullets any of the smaller fragments might have come.

The critics of the Warren Commission were suspicious because the existence of those tests was not revealed until the 1970s, and the actual data themselves – FBI Laboratory worksheets – were not released until 1975, after a series of lawsuits under the Freedom of Information Act.

The critics believed that if the work was done properly it would immediately become apparent that Warren Commission Exhibits 399 and 842 (the metal from Connally's wrist) were different, and that would disprove the single-bullet theory.

Vincent Guinn was hired to do such tests. The Archives sent a courier to his laboratory at UC, Irvine, where he had a nuclear reactor. Guinn made measurements of the lead and antimony content of the bullets and found that 399 and the metal in the sample box labeled "CE 842" were statistically indistinguishable – which, in the language of the chemist, meant that they were identical (*HSCA Hearings*, I, 504, 554-55).

With respect to the other fragments in evidence, there was also a problem. In 1969, the Secret Service sent documents to the National Archives that hadn't been released to the Warren Commission. One was an FBI receipt for "a missile removed...by Commander James J. Humes...on this date." The receipt, dated November 22, 1963, was issued to Capt. John Stover, Humes superior, and signed by FBI agents Sibert and O'Neill ((*NA*, RG 272, E-52, item 1 ©).

Guinn testified his tests showed that the brain fragments came from one of the two missiles found in the car, and that Commission Exhibit 842 came from the bottom of bullet 399, where some lead was missing (*HSCA Hearings*, I, 555).

Guinn talked about another matter bearing on the legitimacy of the fragments in the sample boxes. He told how he opened one box – Q-15, supposedly metal from the windshield – to find it completely empty. "What did you do?" he was asked. He said that he carefully examined the interior of the sample box with a magnifying glass, but nothing

was there. matched each other does not mean that the others did so. Second, Dr. Guinn

Guinn's work played a major role in convincing the Committee that bullet 399 had struck Connally's wrist – hence, that Kennedy and Connally were struck by the same bullet. med neutron activation analysis on Mannlicher-Carrano ammunition, one of the

In the Kennedy assassination case, neutron activation analysis could be used to determine whether Bullet 399, bullet fragments removed from the president's brain and from the governor's wrist, and the limousine fragments came from the same ammunition and if that ammunition matched Oswald's rifle. In September 1977, Dr. Guinn had tested these materials and **surmised** that the fragments from the governor's wrist came from Bullet 399, a powerful and convincing scientific substantiation of the single-bullet theory. Guinn also found that the fragments removed from President Kennedy's brain **matched** the fragments found in the limousine, proof that only one bullet, fired from Oswald's rifle, struck the president in the head. Dr. Guinn reported that neutron activation analysis tests revealed evidence of only two bullets, both Mannlicher-Carcanos of the exact type used in Oswald's rifle. Dr. Guinn's analysis, therefore, fully supported the medical evidence and the Warren Commission's findings that all bullets striking the president and the governor were fired from Oswald's rifle (*HSCA Hearings*, I, 490-567). again, the Connally wrist

On the surface, the neutron activation analysis tests performed by Dr. Guinn provided strong support both for the single-bullet theory and for the contention that the fatal head shot was fired from Lee Harvey Oswald's rifle. Since the wrist fragments and Bullet 399 matched each other, the committee accepted Dr. Guinn's thesis that they came from the same bullet. Likewise, the committee endorsed the Guinn theory that the head and limousine fragments came from the same bullet (*HSCA Hearings*, I, 538). Different

A more careful analysis of the neutron activation analysis tests, however, shows numerous deficiencies that contest all of Dr. Guinn's central conclusions. First, of the more than thirty bullet fragments in John Kennedy's head, only two were subjected to the test. The rest remained embedded in brain tissue and skull bone. That two head

fragments matched each other does not mean that the others did so. Second, Dr. Guinn did not analyze the large copper fragment found in the limousine. The origin of that fragment, therefore, remains scientifically unproved. Third, Dr. Guinn had previously performed neutron activation analysis on Mannlicher-Carcano ammunition, one of the bullets being from the same manufacture and production lot (Western Cartridge Company, lot 6003) as bullets from Oswald's rifle. **None** of the bullets matched each other. Moreover, Guinn analyzed pieces of the same bullet, and they, too, failed to match. For example, the four pieces of the bullet from lot 6003 had figures ranging from 7.9 to 15.9 parts per million (ppm.) silver, from 80 to 732 ppm. antimony, and from 17 to 62 ppm. copper. Dr. Guinn himself admitted that "some Mannlicher-Carcano bullets cannot be distinguished from each other" (*HSCA Hearings*, I, 547-49).

Dr. Guinn performed neutron activation analysis on the "Magic bullet" (WCE 399) and bullet fragments reportedly taken from Governor Connally's wrist. He stated that his tests, "established that it was highly likely that the injuries to the Governor's wrist were caused by the bullet found on the stretcher at Parkland Hospital."

The most serious shortcoming in Dr. Guinn's analysis is his failure properly to interpret that data from the assassination fragments. For example, the Connally wrist fragment contained 25 percent more silver and 850 percent more copper than Bullet 399. It also contained 2400 percent more sodium and 1100 percent more chlorine, and it contained 8.1 ppm. aluminum, while Bullet 399 contained none. Similarly, the Kennedy head fragment and limousine fragments contained wide disparities in their chemical composition. Guinn and the committee, therefore, were hardly justified in their conclusions about "matches." Since different parts of the same bullet show different chemical values, and since the actual assassination fragments tested differed sharply in their values, the neutron activation analysis hardly lent scientific weight to the single-bullet and lone-assassin theories (*HSCA Hearings*, I, 538).

017: William Hartmann

September 11, 1978

Dr. William Hartmann had a Ph.D. in astronomy from the University of Arizona. He had been assistant professor at the University Arizona Lunar and Planetary Laboratory, associate and senior scientist at the IIT Research Institute. He served as photo analyst for the Air Force University of Colorado study of UFO's and served as photo analyst and coinvestigator on the Mariner 9 mission to photograph Mars.

Dr. Hartmann was part of the photopanel that conducted photographic analysis to determine if there was any measurable reaction on the part of the photographers who were taking pictures of the assassination in Dealey Plaza which might be associated with the sound of gunfire (*HSCA Hearings*, II, 4).

Hartmann measured the amount of blur or smearing of the image in each of the Zapruder frames, one frame at a time. It was a measure of the blur internally, a measure of the blur while the shutter was open. He noticed that there were two series of frames that showed a considerable amount of blur. The first, frames 188 to 191, shows a blurring (or jiggling) that is more pronounced than normal blurring due to amateur experience with a camera. In fact, frame 191 is one of the more blurred frames in the sequence (*HSCA Hearings*, II, 8).

There is also a heavy blur reaction around frames 313 to 319. These are the two places (approximately) on the Zapruder film where everyone, critic and official version alike, agree that President Kennedy is reacting to gunfire. He restates the Warren Commission version of shot sequence, which said that the first shot could not have been fired before frame 210, due to the blockage by a Texas live oak tree. The only opening would have been for one frame, approximately Z-186, where there was an opening that lasted for about one-eighteenth of a second. The Warren Commission didn't feel this was enough time for a shot to have been fired. Dr. Hartmann believes there may have been

enough of an opening to get a shot off due to the lack of foliage on the tree on November 22, 1963 (*HSCA Hearings*, II, 136). He also believes the testimony of Phil Willis, who was also taking pictures that day. Mr. Willis says he pressed the shutter as part of his reaction to a shot, which would correspond to Z-202. This means that a shot could conceivably have been fired a little earlier, which would justify the findings of Dr. Hartmann and tend to negate the findings of the Warren Commission.

In order for the findings of Dr. Hartmann to work, you have to believe that someone fired at frame 186 of the Zapruder film. The acoustical analysis and Dr. Hartmann alike, assume that the shot had to come from the Texas School Book Depository, and not from one of the other buildings to the rear of the motorcade.

When asked by Mr. Dodd if he was suggesting, not that a trigger was pulled, but that something caused Mr. Zapruder at that point to wiggle the camera (*HSCA Hearings*, II, 133), Dr. Hartmann responded by saying: "I think we can say that the trigger was pulled, because we see in frame 313 the matter ejected from the head, the head explosion. And in 314 it is flying on up. So if we run it backward—314, 313, 312—the bullet is hitting the head. And then we have to allow about two frames flight time for the bullet. On that basis I say that the trigger was pulled, a trigger was pulled at 310 plus or minus one. So I would say there must be some sound source starting at 310 plus or minus one" (*HSCA Hearings*, II, 133).

Dr. Hartmann's blur analysis seems to verify the two obvious places on the Zapruder film where President Kennedy is receiving gunfire: Z-190-200 and Z-313-319. He is not saying more gunfire did not occur, only that the famed Zapruder film, through his blur analysis, seems to justify at least two rounds of gunfire.

Jiggle analysis, or blur analysis, is a useful tool, but doesn't in itself provide answers, only indications of responses by the person holding the camera. It doesn't tell us what they were responding to; that is where we have to look at all of the evidence in context, as the whole can tell us much more than its individual parts. We might already have more

than enough data to solve the case, and just not be analyzing it fully or comprehensively.

018: Dr. James E. Barger

September 11, 1978, December 29, 1978

The House Select Committee hired Bolt, Beranek, and Newman (BBN) of Cambridge, Massachusetts, a firm specializing in scientific acoustical analysis to examine the Dallas Police tape dictabelt. BBN had pioneered the analysis of sound recordings to determine the timing and direction of gunfire through its study of a tape recording of the 1970 Kent State shootings (*HSCA Report*, 66-67).

Dr. James E. Barger, BBN's chief scientist, conducted a series of tests. First, he determined that the reel-to-reel tape was an exact duplicate of the original dictabelt. Then he converted the tape recording to digitized waveforms, similar to the peaks and valleys of an electrocardiogram. Then, Barger filtered out such noise as the repeated firings of a motorcycle engine. Then, he selected six sequences of impulses that might possibly represent gunshots. Finally, Barger established that all six impulse sequences occurred during the time of the assassination at intervals of 1.65, 7.56, and 8.31 seconds after the first (the central dispatcher's office recorded the precise time that every message received came in). The House Committee would eventually admit to four of the six impulses (*Appendix to HSCA Hearings*, VIII, 223-388).

Barger's initial analysis established a distinct possibility that the tape contained the sounds of gunshots. Now it was necessary to record the sounds of gunfire in Dealey Plaza in order to compare them with the impulses on the tape. In August 1978, BBN recorded the sounds of shots fired from the sixth-floor window of the Texas School Book Depository building and from the grassy knoll. Barger discovered that four of the impulses on the Dallas police tape matched the recorded sounds of gunfire in the reconstruction. Because the matches were not exact, Barger concluded that there was a

95 percent probability that two shots were fired from the building, a 75 percent likelihood that three shots came from the building, but only a 50 percent chance that a shot was fired from the grassy knoll (*Appendix to HSCA Hearings*, VIII, 47-48).

Remember, it was Barger who testified about the most striking new development in the House Committee's investigation. As a result of the efforts of a group of Dallas researchers, the Committee learned of the existence of a tape recording of Dallas Police radio transmissions, and the researcher's analysis that it contained the sound of the shots.

The Committee now had audio evidence that a shot came from the front, but medical evidence that the shots came from the rear. The Committee was going to conclude that the President was shot by Oswald, but that another shooter had fired and missed.

The Committee may have been wrong to rely on its acoustics conclusion so heavily. Dissenting expert opinion was bound to come, and soon.

The serious blow to the acoustical evidence came in a 1982 report by the National Academy of Sciences. A panel of distinguished scientists concluded that the Committee's studies "do not demonstrate that there was a grassy knoll shot." At the core of the finding lay, not some abstruse scientist's deduction, but the curiosity of a rock drummer in Ohio, Steve Barber.

Barber came to the controversy via a girlie magazine. In the summer of 1979 *Gallery* offered its readers, amongst the nudes, a record of the section of the police dictabelt that includes the noises said to be gunshots. He played it again and again, and detected something the experts had missed. What had been thought to be unintelligible "crosstalk," conversation coming in from another radio channel, Barber's ear identified as the voice of Sheriff Bill Decker, in the lead car of the motorcade. The Sheriff's voice occurs at the same point on the recording as the sound impulses that the Committee's experts said were gunshots. What he is saying is, "Move all men available out of my department back into the railroad yards there...to try to determine just what and where it happened down there. And hold everything secure until the homicide and other investigators can get there."

Clearly Decker did not issue his orders till *after* the shooting, so Barber's discovery triggered an onslaught on the acoustics evidence. Because of the timing, the Academy of Sciences was to conclude, the sounds on the recording had to be something other than gunshots, static perhaps, but not gunshots.

Barger is unrepentant, in spite of the Academy's decision. "We used an entirely different method of identifying the time at which the recording was made," he says, "Our method involved noting what time the police dispatcher said it was. We think our method was much more straightforward, and much less subject to error by some extraneous artifact than was the Academy's method. Our method is more robust."

While Sheriff Decker's orders obviously came a minute or so after the shooting, Dr. Barger insists that this could have been caused in several ways. The Dictabelt needle could have jumped back – as sometimes occurred with that old-fashioned system – or the illusion of "crosstalk" may have been caused during copying of the original police recording.

Dr. Barger stands by his original findings, "The number of detections we made in our tests, and the speed of the detections – the odds that that could happen by chance are about one in twenty. That's just as plain as the nose on your face."

019: Paul McCaghren **September 11, 1978**

Paul McCaghren was the former lieutenant of burglary and theft of the Dallas Police Department in 1963. His role in the HSCA investigation would prove to be the cornerstone in their investigation, ultimately leading to the conclusion of conspiracy.

An additional item forced the committee to alter its original presumption that a sole assassin fired all shots from the rear. That evidence was a Dallas police tape of the gunshots. Expert acoustical analysis of the tape determined that of the four shots fired,

three came from the rear and one from the front. This forced the committee to draw its second main conclusion: "Scientific acoustical evidence establishes a high probability that two gunmen fired at President John F. Kennedy" (*HSCA Report*, 65).

The House Select Committee obtained copies of the tape and subjected them to acoustical analysis, but the results proved inconclusive. In March 1978, however, the committee discovered the original dictabelt and tape recording. Stored in a cabinet until 1969, the materials then were turned over to Paul McCaghren, director of the Dallas Police Intelligence Division. McCaghren retained them until he released them to the committee nine years later.

McCaghren stated that he was part of a team of investigators that looked into the events that occurred in the basement of city hall, regarding Lee Harvey Oswald and Jack Ruby. This inquiry went on for about a month and a half, until it was abruptly called to a halt. At this time "all the material in our possession was turned over to Chief Curry, who was the chief of police at that time" (*HSCA Hearings*, II, 108). McCaghren said he never saw any of the materials again (this would include the dictabelt) until 1969, when the new Chief of police, Charles Batchler, found it when he broke open a filing cabinet that he found locked.

McCaghren was told to "take charge of the material and to make sure no unauthorized person came in contact with it" (*HSCA Hearings*, II, 109). Curry, Batchler's predecessor, had apparently removed numerous materials and subsequently published a book. It does make you wonder why Curry didn't take these also, especially the dictabelt. In his final answer, McCaghren stated that he had control of these materials from 1969 until this year (1978), when he turned them over to HSCA investigator Jack Moriarty, and that no one, not even himself, tampered with anything that was removed from the locked filing cabinet.

Two observations seem obvious: The experts, who know what to listen for, are markedly more accurate than the witnesses who were there that day. Secondly, the dual location statistic seems amazingly low. The difference between the two parties don't seem to contradict each other as much as they show the wide gulf between the actual event and a staged production number.

021: Thomas Canning

September 12, 1978

Thomas Canning had degrees in mechanical engineering and aeronautics from Stanford University. He was also a member of NASA, a staff engineer of the Space Projects Division.

The Forensic Pathology Panel had already determined that the fatal head shot came from above and behind the president, but it was unable to determine, from the available medical evidence, whether the bullet that entered Kennedy's back had been fired from above, below, or on a level plane. The House Select Committee, therefore, decided to have an expert conduct a trajectory analysis to pinpoint the origin of the shots. The expert, Thomas Canning, a ballistics trajectories expert and a NASA engineer (Space Project Division), used the medical panel's location of the wounds, the photographic experts' analysis of the timing of the shots, and the locations of the limousine and its occupants. Very careful measurements enabled Canning to conclude that the shots *all could have* been fired from the sixth-floor window of the Book Depository building (*HSCA Hearings*, II, 154-203; *Appendix to HSCA Hearings*, VI, 32-62).

The committee divorced itself from reliability by depending upon the analysis of their NASA expert, for determining the trajectory of the bullets that struck President Kennedy and Governor Connally. Canning used the location of the wounds on the two men, the position of the limousine, the alignment of the occupants of the vehicle, and other

information to arrive at his calculations. Those calculations demonstrated that both the "single bullet" and the fatal head shot could have been fired from the sixth-floor southeast corner window of the Book Depository building (*HSCA Report* 48).

In permitting Canning to perform his trajectory analysis, the committee ignored the advice of its own Pathology Panel. The panel cautioned that there is no reliable method of "determining the missile trajectory...particularly if precision within the range of a few degrees is required." This was illustrated by Canning's rejection of the objective medical evidence. Instead of using the true location of the entrance wound in Kennedy's back (approximately five inches below the shoulder), Canning arbitrarily raised it three inches in order to arrive at a trajectory consistent with the sixth-floor window. He also computed the angle of the wound as twenty-one degrees downward. This was nothing less than a blatant distortion of the medical evidence, which proved that the bullet entered the president's back at a "**slightly upward**" angle. Despite similar distortions of other parts of the objective medical data, Canning's trajectory analysis resulted in margins of error, by his own admission, that would have permitted the assassins to have fired from such diverse locations as the fourth, fifth, sixth, and seventh floors, and the roof of the Depository, as well as from the two upper floors of the neighboring Dal-Tex building. The total number of sniper locations that would fit Canning's analysis is seventy! Clearly, such lack of precision, as well as the manipulation of the objective medical data, belies any serious inferences to be drawn from the trajectory analysis (*Appendix to HSCA Hearings*, VII, 168-69; VI, 43-56).

From various sources Canning determined where the President's car was on Elm Street at Z-312. To establish the head orientation, Canning worked from Z-312. This meant that his basic starting datum was Zapruder's camera. If he could fix the position of the camera, the distance to Kennedy's head, and how his wound-determined straight line related to the straight line of sight from Zapruder, he could plot the backward course of the bullet — i.e., its trajectory.

In theory the method was fine. He could trace his bullet source without ever having to say or know anything about true north, the angle of Elm Street and the car, the angle of "Oswald's" shot relative to the midline of the car. But in practice the method was complicated; it could not escape the simple "eyeballing" estimates Canning abjured in oral testimony, and it was based on certain assumptions that Canning never spelled out or gave reason for believing.

The complications arose with the obvious fact that Kennedy was *not* showing an exact, erect profile to the camera. His head was rotated away from Zapruder, it was tilted away. And it was nodded forward. Canning told the committee that he addressed this problem by constructing a model of Kennedy's head and torso and taking a series of what he called "calibration photographs," a system that freed him from more eyeball estimates. The system seems to have consisted of putting the mannequin in various different attitudes, photographing them, and comparing them to one another and to Z-312. (If the comparison was done with more than a ruler, protractor, and eyeball, we are never told about it.) In oral testimony when the committee was shown the model photograph said to duplicate Kennedy in Z-312, Senator Dodd of Connecticut noted that it didn't look nearly so tilted as Z-312. Canning replied, "I can assure you the images play games with you" (*HSCA Hearings*, II, 193). After further questioning he conceded that the interpretation of these features is a major source of potential error. Before his testimony was done, Canning conceded that there was enough potential error in his method for his radius of possible gun source to extend not just beyond the book depository to the Dal-Tex building across the street, but beyond the Dal-Tex to the Records building (*HSCA Hearings*, II, 193, 199).

To make the final estimate of the degree of forward nod of Kennedy's head, the HSCA trajectory team found the model photo they judged was the best Z-312 replica. It shows the mannequin tilted toward a descending plumb bob. The essence of the reference system is shown by that vertical line delineated by the plumb, so stated the oral testimony.

It is not sufficient to argue that Z-312 was enough for their purposes. Canning himself told the committee that it was a difficult frame to work with. It might have been easier if he had worked with all of it, that is, if he had used the car as was done on the back shot. Given the immense amount of time the report says was spent measuring and remeasuring, it seems it would have been possible to do a parallel tracking of the trajectory by fixing Kennedy's head relative to the midline of the car and measuring the angle backward from the known position of the car.

In 1964, to accommodate what the Warren Commission believed about the inshoot-outshoot, the Commission simply decreed a forward head tilt of 59 degrees. This is not meant to imply that Canning did not say what he honestly believed. He pointed out to the committee the discomforting news that the trajectory of the head shot bullet did not fit with the windshield damage that the committee would maintain was caused by "the bullet" after it exited from the skull.

Consider this single vulnerability in the HSCA trajectory analysis: It depends entirely on the assumption that Zapruder held his camera perfectly vertical. The HSCA's own much ridiculed "jiggles" analysis (aimed at trying to identify when he jumped because he heard the shots) cites many times when the camera jittered in his hand. Still the HSCA used a straight-to-the-earth plumb line attributing a no-tilt attitude to the camera. A skeptical viewer looking at Z-312 might ask why, when the limousine is still to Zapruder's left, and it is going down a 3-degree slope, the front of the car appears to be slightly higher than the back. Is it possible Zapruder has his camera tilted slightly to the right?

Up until now, the report of the Hearings of the House Select Committee has been the most detailed, careful, authoritative study available of the ballistics issues involved in the assassination of Kennedy.

Report, the authors wrote, "It would be fair to say that in the succeeding years after her marriage to Lee Harvey Oswald, Marina was the closest person to Lee Harvey Oswald. In 1965, Marina Oswald married Kenneth Porter.

It may be of interest to discuss Marina Oswald's testimony before the Warren Commission before her public testimony to The House Select Committee on Assassinations is mentioned.

It strikes me as a rather bizarre coincidence, in an event brimming with coincidences, that Marina Oswald was the first witness called by the Warren Commission. Doesn't it seem highly unusual that the first of 488 witnesses would be the only one of those 488 (excluding her counsel) who would not be able to give evidence against Lee Oswald in any valid legal proceeding?

Secondly, here is a woman who was in Irving, Texas, with Ruth Paine, at the time of the assassination of President Kennedy. The women immediately suspended mundane laundry rituals and focused on the news emanating from the television. When the TSBD was announced, the women agreed that they might get a first-hand account of the event from Lee when they next saw him. This immediately suggested that Marina Oswald's knowledge of the event would be limited to conjecture based solely on her husband's track record, and she was not even well versed in that.

Beyond that, it would seem to make some sense to gather some evidence, perhaps from eyewitnesses, law enforcement officials, doctors at Parkland and Bethesda, and experts who evaluate evidence, so that when you take the testimony from a character witness such as Marina Oswald, you have some material to work from. In essence, Marina was called to identify a rifle before there was any evidence in the official record to suggest that it needed identification.

It must also be said that the selection process totally gives away the Warren Commission's claim to objectivity from the very start. In the "Foreward" to the *Warren*

Report, the authors wrote,

President Lyndon B. Johnson, by Executive Order No. 11130 dated November 29, 1963, created this Commission to investigate the assassination on November 22, 1963, of John Fitzgerald Kennedy, the 35th President of the United States. The President directed the Commission to evaluate all the facts and circumstances surrounding the assassination and the subsequent killing of the alleged assassin and to report its findings and conclusions to him (*WC Report ix*).

It is difficult to label such an investigation "honest" when it is charged with evaluating all the facts, which it did not, and when it had the objective purposes as stated, yet called for its first, second, and third witnesses persons whose last name was *Oswald*. Such a choice of witness selection strongly suggests the Commission knew the outcome of their investigation well before they read the oath to the first witness, and only went through the 488 witness charade to give bulk to a preconceived conclusion.

After the Oswalds told what they knew (and argued with what they doubted), witnesses four and five were the respective attorneys for Marina Oswald and Marguerite Oswald, the latter being Mark Lane, who was asked but one-fourth of the questions posed to Marina's lawyer, and then shown the door. Marina, as stated, could only speak for Oswald's state of mind, and then only in Russian. Neither Marguerite nor Robert Oswald had seen Lee since November 22, 1962, and Robert was surprised to learn on November 22, 1963 that he had become an uncle for the second time a month earlier. Attorneys Martin and Lane became concerned parties only well after the events of November 22, 1963.

Marina Oswald at least drew a good crowd. She averaged 5.5 members of the Commission for the February hearings, and most stuck around to hear what the interpreter had to say, although that may also be ascribed to the fact that she was the first witness, or that the stenographers had not yet realized they should insert the comings and goings of the respective Commissioners.

After what would become the usual preliminaries, the Chief Justice tried to make Mrs. Oswald feel comfortable, assuring her that her rights would be protected, although four witnesses later, when Mark Lane was refused the right to represent Oswald, the Commission flatly refused to guarantee that the accused's rights would be protected. Mrs. Oswald was then asked where she lived in Dallas, a routine question, but she answered that her attorney knew her address, raising the possibility that she did not. She was then asked, "Are you the widow of the late Lee Harvey Oswald?" as if they did not know (*WC Hearings*, I, 2).

The questioners and the witness then got down to their limited agenda, and at least they had something to go on, as the witness, in the 71 days since the murder of her husband, had been interviewed by *federal* officials 46 times (and Dallas authorities no times). When asked if she had seen her husband take the rifle outside, she answered, "I never did see it" (*WC Hearings*, I, 14). This bit of self-defensive perjury was then made up for when the witness volunteered data regarding the Walker shooting, her husband's practicing with the gun, her husband's ownership of the pistol, and her taking of one or perhaps two of the backyard photos, which would suggest that she saw the gun at least once, since it was in the photos (*WC Hearings*, I, 14-16). Other instances of her willingness to be accommodating will be cited, but to her credit, the witness did tell the Commission *why* she was being so decent: "...Sometimes the FBI agents asked me questions which had no bearing or relationship, and if I didn't want to answer they told me that **if I wanted to live in this country, I would have to help in this matter**, even though they were often irrelevant. That is the FBI" (*WC Hearings*, I, 79). She would probably soon note a similarity between the Warren Commission and her previously noted federal tormentors.

The similarity began with the Commission's willingness to tell the witness the answers. When Marina could not recall which nights Lee took typing lessons, Chief Counsel Rankin asked, "Would it help you to recall if I suggested they were Monday, Tuesday, and

Thursday?" (*WC Hearings*, I, 9) Rankin also helped the witness clarify the Walker shooting: "If the Walker shooting was on Wednesday, does that refresh your memory as to the day of the week at all?" (*WC Hearings*, I, 17) Is it my imagination, or do these sound like leading questions?

More information was forthcoming: Oswald had become upset when the FBI had come calling in 1962 and he sat in their car for an interview; he always had a passport, sometimes two – a statement not pursued nor clarified; Oswald spent his earnings on the family, she told, adding, "But I know that he became active with some kind of activity in a pro-Cuban committee. I hope that is what you are looking for" (*WC Hearings*, I, 20-21).

Mrs. Oswald was asked about her late husband's feelings regarding President Kennedy, certainly a valid question. At one point she replied, "...from Lee's behavior I cannot conclude that he was against the President, and therefore the thing [the assassination] is incomprehensible to me." She later repeated that she had difficulty believing her husband's guilt "Because I had never heard anything bad about Kennedy from Lee" (*WC Hearings*, I, 22, 71).

In these sessions with the first witness, the Warren Commission would reveal much in the way of the methodology it planned to pursue. As Mrs. Oswald testified that she had no idea the rifle was missing on the night of the Walker shooting, a recess was called, and when questioning resumed, it concerned Lee's trip to Mexico, not the Walker event. She was then told she'd been shown photos of General Walker's house, a photo of New Orleans, and a photo of Leningrad. She identified the latter two; she was then asked if she knew what the third one was (*WC Hearings*, I, 37-38).

In spite of the fear of deportation noted above, the witness would not be overly accommodating. When the questions got into the area which subsequent researchers have noted as an Oswald imposture, Marina would have none of it. When Rankin suggested that Oswald had a scope mounted on October 26, a Saturday, Marina balked: "How is it about the telescope? He always had the telescope. Were there two?" Rankin claimed the

Commission had data, but Marina suggested, "Perhaps someone who looked like Lee" (*WC Hearings*, I, 55). [Two telescopes or two Oswalds?] When the subject of the \$189 check at Hutchinson's market came up, Marina issued two denials: "He didn't have such a check," and later, "...Lee was at work. He couldn't have been there" (*WC Hearings*, I, 58, 63).

Having asked a couple of valid questions, the interrogation again got silly. Marina was asked "Do you recall the weekend that you went to the hospital for your baby?" as well as where she spent time with Lee on November 23. She was also asked if she received any calls advising her that her husband was going to be shot, and "Do you know any reason why Jack Ruby killed your husband?" "He didn't tell me," she replied (*WC Hearings*, I, 54, 77, 79, 83).

There is a long excursion through Marina's life story, and at one point she became agitated because one piece of evidence, her diploma, had been mangled. Then there is a serious exchange over whose handwriting appears in which place on a certain document. It turned out that the handwriting was Marina's and the document was a score sheet for a game of dominoes (*WC Hearings*, I, 102). Following that fascinating exchange, words are put in her mouth regarding bullets that may or may not have been for the rifle or pistol, and the witness goes with the flow. She was helpless, however, when Rankin asked about a jacket: "Is it possible that Exhibit 163 was worn by him that morning without your knowing it?" As phrased, the only possible answer was "yes," since the witness had already indicated a lack of knowledge concerning the jacket; with the Warren Commission and Lee Oswald, anything was possible (*WC Hearings*, I, 22).

The Commissioners still present asked the last four pages of questions after Counsel had asked the first 122 pages. As the February proceedings drew to a close. Marina told the Chief Justice, "I am very grateful to all of you. I didn't think among Americans I would find so many friends."

Earl Warren replied, "You have friends here" (*WC Hearings*, I, 126). That answer

belongs in a book of platitudes alongside the caustic comment attributed to Bertold Brecht: "I pity the man who is laughing, for he has not yet been told the bad news."

When the witness returned in June, one topic of discussion was how Marina had prevented Lee from making an assault on former Vice-President Richard Nixon. It is an interesting multi-page exchange from the point of view of the give and take of discussion, but it adds nothing to our knowledge of the Kennedy case since there is no proof that Nixon had any plans to be anywhere near Dallas in April, 1963. Either way, Oswald's target was spared when a pregnant Marina kept the former Marine locked in the bathroom until he decided to sit it out and read. Commissioner Dulles asked, "Do you know what book it was, by chance?" (*WC Hearings*, V, 392).

Commissioner John Sherman Cooper then got his opportunity to look as foolish as Dulles. "I think you testified before that he made statements showing his dislike of our system of government and its economic system." Marina then told of Oswald's complaints, which suggest he was more like the average taxpayer than a potential assassin: "He used to complain about the educational difficulties and about the unemployment in the United States and about the high cost of medical care" (*WC Hearings*, V, 394). Such (and there is more in the record) was Oswald's dislike of "our system of government."

The imposture concern arose again in the June testimony, although it was never addressed in that way. Marina vehemently denied that Oswald drove her to the furniture store encounter with Mrs. Whitworth and Mrs. Hunter, and issued equally strong denials that she once accompanied him to have a scope mounted (*WC Hearings*, V, 400-401).

The June testimony concluded with questions posed to Marina by her attorney, who then requested certain of Oswald's belongings be returned to his estate. Chief Justice Warren was unclear in his response, but suggested that the gun would not be among the items returned. Marina's counsel insisted that the gun be part of the deal, and added that they would like Lee's wedding ring returned that day. Warren replied that the entire Commission must decide the issue (*WC Hearings*, V, 420). Was Oswald's wedding ring

evidence to be used against a dead man?

Mrs. Oswald's next appearance was in July, and involved 48 pages of furniture store testimony from Marina, Edith Whitworth, and Gertrude Hunter, who insisted it was Lee, Marina and the two children who arrived in the car with Oswald driving. Having given their thoughts, they left and Marina was then questioned. She strongly denied the event, but was then asked by Counsel Liebeler, "You are sure of that in spite of the testimony that you heard this morning from Mrs. Whitworth and Mrs. Hunter; is that right?" (*WC Hearings*, XI, 276-290; 300).

It was also during this testimony that Marina was shown the photo of the Walker home with a 1957 Chevy out front with a hole where the license plate should have been. Marina insisted that the picture was intact when she was first shown the exhibit by the FBI. Liebeler told her it was impossible (*WC Hearings*, XI, 294). If we believe the photo exhibited in Chief Curry's memoirs, *The Assassination Files*, Marina was being more honest than the Commission.

Her final appearance before the "Warren Commission," on September 6, 1964 was instructive. Commissioners Russell, Cooper, and Boggs flew to the US Naval Air Station in Dallas, where the testimony was taken. In this final meeting, the translators were also sworn to tell the truth, and the questions then immediately focused on Marina's past statements, with perjury strongly hinted at. Some of the answers then changed, or became obfuscated, and Marina at one point suggested that perhaps the Commission did not receive a precise translation. This is a curious point, and one that requires comment, as Marina Oswald never had the same translator twice (why not?), although her many FBI interviews and her first Commission appearance were all translated by Secret Service Agent Leon Gopadze (*WC Hearings*, V, 588ff.). Of equal note, this testimony is not noted in the contents of the 26 volumes; it just appears in Volume V, pp. 588ff.

In this session, the same questions were asked repeatedly, almost suggesting the technique of "hostile interrogation." The witness did admit that she knew Lee had plans

for going to Mexico, although when asked if she knew either Clay Bertrand or Sylvia Odio, the response was in the negative (*WC Hearings*, V, 293, 614). The simple fact that such questions were asked about people the Warren Commission did not want the world to know of is enlightening.

She then stunned her interrogators with an answer that has since provided much food for thought: "I feel that - I hardly believe - that Lee Oswald really tried to kill President Kennedy... I feel in my own mind that Lee did not have President Kennedy as a prime target when he assassinated him... I think it was Connally" (*WC Hearings*, V, 607). After an all too brief exploration of that theory, Commissioner Boggs concluded his questioning in a most oblique and uninformative way: "One further question, and this is off the record." The record then suggests that there were questions and answers (plural) that will remain unknown to us (*WC Hearings*, V, 609).

Thus, Marina Oswald was not able to add a great deal to what was known. Some of her unwillingness to accept the imposture indicates that we know less after her testimony than before; earlier, there was evidence that either Oswald or an impostor did various things; when her testimony was done, we have her word that he didn't, but only deafening silence from the Commission.

Perhaps they had not warmed to their task, and perhaps they never would, but the Commissioners simply did not put meaningful, valid questions to Marina Oswald. What was needed was courtroom like precision: When he took the gun to work the bolt, how long did he do so? What did he do with it then? How frequent was this? Was there a pattern to this? Did he speak of his guns often? Did he commonly threaten anyone, inside or outside of the US political structure?

The other line of questioning that should have been more vigorously pursued was Lee Oswald's feelings for his children. It is known that he was brutal at times to his wife, and the Commission explored that briefly, but what of the children? The Oswald we have come to know did suggest a loving father, and that, to me at least, indicated that a man

was less likely to commit a crime that would forever deprive him of the company of those children, or would forever tarnish the name of those offspring.

Today, those “children” are adults with families of their own, and they are still seeking a truthful clarification of their father’s participation in the events of November 22, 1963. Marina Oswald also seeks that answer. In retrospect, she feels that she was badly used by the Warren Commission, and in searching for a word, she came up with “ploy.” She also noted that it was upsetting to her to be asked to give evidence against her husband, and when she did so – not when the questioning was mundane, but when she offered evidence – Gerald Ford would take eager note of the answer and would shortly excuse himself from the hearing room.

Marina offered no new revelations before the House Committee on Assassinations. She testified about Russia, New Orleans and Dallas at length, but in the end, no new information was garnered than the three times she testified before the Warren Commission.

023: Jack D. White

September 14, 1978

Mr. Jack White received a B.A. in journalism and history from Texas Christian University in 1949. He was vice-president of Witherspoon and Associates, Ft. Worth’s largest advertising and public relations firm.

When Jack White, a longtime assassination researcher, got up to testify about the backyard photographs, the Committee tried to make a fool of someone who has worked on the photographic aspect of the case for many years. Mr. Goldsmith asked him, “To what extent, if any, did you compute photogrammetrically the effect of an object’s tilt on its apparent length in the photograph” (*HSCA Hearings*, II, 340).

“As I said, I am not a scientist, I don’t indulge in that sort of thing.” Jack White

examined different photographs of the various rifles we are told were the murder weapon. "I found that most of the reference points through which I extended vertical lines could not be made to line up." Genzman, his questioner, asked: "Did you line up the metal parts?" "Yes, I made prints where the metal parts of the rifle, that is, from the muzzle to the trigger guard, were all identical lengths." Genzman: "After lining up the metal parts, what did you determine about the stocks?" "I determined that the butts were different lengths after lining up the metal parts" (*HSCA Hearings*, II, 344).

Goldsmith continues, "When you did this study, did you compute photogrammetrically the effect of the tilt on the way that the length of an object appears in a photograph?" (*HSCA Hearings*, II, 344).

"I conducted a study by photographing a yardstick from three different—"

"Mr. White, answer my question. Did you compute photogrammetrically—"

"What is photogrammetrically? Describe to me what photogrammetrically is."

"I just have one more question, Mr. White. Do you know what photogrammetrically is?"

"No."

"I have no further questions, thank you."

Jack White did get a minor rebuttal when he said: "Thank you. I appreciate the opportunity to present this as a private citizen who has no large budget to work with. I am just an ordinary person who has observed a lot of things and I am really here to present questions rather than answers" (*HSCA Hearings*, II, 345).

Rather than deal with the real issues such as the allegedly fake photographs or the different rifles, also alleged to be the murder weapon, the Committee preferred to grapple with side issues such as whether or not the backyard photos were taken with Oswald's Reflex camera. Photographic expert Robert Groden would have none of this. He told the Committee, "You were all aware that some of the arguments presented were no longer issues and that some of them never really were. The true issues were not accurately dealt

with in the hearings. These were the discrepancies of the head to body size as well as the height-to-rifle length ratio and the visual retouching of the skin and surrounding area” (*Appendix to HSCA Hearings*, VI, 295).

The panel of experts alleged that the minute indentations along the film plate aperture matched those of the pictures. Jack White said in his final minute, “There was one area of questioning which I had hoped to get into, which because of the shortness of time before lunch I was not permitted to go into. That is the question of the DeMohrenschildt picture. The DeMohrenschildt picture shows a much larger amount of background around the edges than any of the photographs, 133-A, B or C. To me, this indicates that the DeMohrenschildt picture is printed full negative. In fact, we can verify this because it is printed with a black border around the edge, the black border being the clear area around the edge of the negative.

“According to the FBI, the picture, CE-133-B, was identified as being taken with Oswald’s camera because it could be matched to the film plate aperture. Yet, if the DeMohrenschildt picture shows a larger background area and it is taken from the same camera viewpoint, then 133-A, B and C have all been cropped and, therefore, if there is more background area in the picture, then it could not possibly be matched to the film plane aperture” (*HSCA Hearings*, II, 346).

The Committee had no answer for this.

Instead, the Committee chose to try and discredit Mr. White, “Have you ever had the occasion to take the original negative from 133-B and analyze it with a computer by a technique called ‘digital image processing?’” “No, obviously not.”

“Have you had any training in analytical photogrammetry?” Goldsmith asked. “No”

“Have you had any formal training in forensic photography?” “No.”

“Have you had any formal training in the study of shadows in photographs?” “No.” (*HSCA Hearings*, II, 338-39).

Again, referring to the backyard photographs, Mr. White says, “By the way, at the time

that these pictures were made, there is no grass on the ground in Dallas, and there are no leaves on the trees. The date of these pictures supposedly is March 29. I live in Texas, and I see the trees come out. It is usually late April before you have this amount of foliage on the grass, the bushes, and the trees. So I think shadows were added by transparent retouching, just as the British photo expert (Detective Thompson) said.

White continues, "Some of the shadows were added improperly. For instance, the shadow of the post by the head of the figure on B is much wider than the same shadow on A. And also as he pointed out, when they cut their airbrush frisket, the knife must have slipped because the post becomes crooked in B and it is not crooked in A" (*HSCA Hearings*, II, 336).

We only have the testimony of Marina Oswald to say that she took the pictures. She would have said anything to avoid deportation, and she has given different stories at different times. She did not recall how many pictures she took. First she said one, but they found two; then years later, they found a third, interestingly enough, among the possessions of George DeMohrenschildt, a friend of Lee Harvey Oswald. He wrote in his book that he felt Oswald was innocent.

Marina first told the FBI that she took the photos in late February or early March, but of course there were no leaves then, or grass. She told the Warren Commission that the first time she ever saw the rifle was toward the end of March. She then said that she took the photos within seven or ten days of that. Chief Counsel Blakey tells us that "A rifle and a revolver were shipped to Oswald from different mail order houses on March 20. So it was decided that the picture was taken on a Sunday, March 31, 1963" (*HSCA Hearings*, II, 320). But there are no leaves on the trees then, and no grass.

Again, "Mr. White, what was your method of analysis?"

"I utilized various methods. First of all was just scrutiny, you might say – just looking at the photos to see how things in one photo compared with things in the other photos. I also made measurements. I made photocopies and printed them in various sizes. I made

transparencies which I overlaid one over the other to make certain comparisons, and things of that sort" (*HSCA Hearings*, II, 323).

White outlines his evidence for the faking of the photos, and says, "It is fairly obvious after the fact that they were made to implicate Oswald in the assassination by tying him to the alleged assassination weapon" (*HSCA Hearings*, II, 325).

The Committee chose not to believe the analysis of Mr. Jack White.

024: Sgt. Cecil W. Kirk September 14, 15, 25 1978 (w/C. McCamy)

Sgt. Cecil Kirk was called to examine and determine the authenticity of the famous Oswald backyard photographs. Sgt. Kirk had studied forensic photography and worked for the D.C. Metropolitan Police Department for 17 years in the Identification Branch.

It gets a bit confusing when reading Sgt. Kirk's testimony as to how many backyard photographs there are, along with the sources from which the various photographs were acquired.

As far as the photographs are concerned, there are three: A, B and C. You will sometimes see them referred to as Dees, Stovall or DeMohrenschildt. The first two are Dallas Police Officers and the latter being an oil baron who befriended Oswald while in Texas. (He later committed suicide days before he was to appear before the House Committee to testify). The names just refer to the sources from which various copies were acquired.

The most famous of the three backyard photographs is 133-A that was made popular on February 21, 1964, when it graced the cover of *Life* magazine. The critics have always suggested that these photos had been faked. In fact, when Oswald was interrogated by

Capt. Fritz after he was arrested, he also said that the pictures had been faked through the process of superimposition. The most glaring problem is that of Oswald's chin. In every other photograph of Oswald, his chin is narrow, almost cleft. But in all three of the backyard photographs, his chin is broad and square. The House Committee said that Oswald was suffering from chin acne when these pictures were taken.

Not to sound equivocating, but problems abound on both sides of the debate. Marina stated that she took the photographs, but when shown them she was not 100% sure. Her testimony has changed and varied over the years in respect to the photos. There are anomalies in the sizing. The gun was 40 inches long; Oswald was about 5'10", or 70", which should create a perfect 4-7 ratio. When you try this, however, what happens is that either the gun is 46 inches long, or Oswald is only 5'3".

The Warren Commission stated, as did the House Committee, that the pictures were taken in that camera, to the exclusion of all others. The photographic panel, of course, did not settle this debate.

025: Joseph P. McNally

September 14, 25 1978

A document expert, and a member of the American Society of Questioned Document Examiners, McNally was called upon by the House Committee, along with Charles C. Scott and David J. Purtell, to assess the authenticity of the "Historic Diary" Oswald supposedly kept in the USSR. McNally had received a BS and an MPA in police science from the John Jay College of Criminal Justice, University of New York City in 1967 and 1975 respectively. Purtell received a PH.B, with a major in mathematics and chemistry, from Northwestern University in 1949. Scott received an AA degree from Kansas City Junior College in 1930 and a JD from the University of Missouri School of Law in 1935 whereupon he became a member of the Missouri bar.

The panel followed standard procedures and techniques in its examinations. The writings and signatures were looked at individually and in juxtaposition with each other, taking into consideration the gross characteristics of the writing process, writing skill, slant, speed, proportions of the letters, ratio of small to capital letters, height ratio, lateral spacing, and overall writing pattern. Significant differences were looked for. A stereoscope microscope was used for minute examination and comparison of individual letters and characteristics.

One of the issues addressed to these experts queried, Was the "historic diary" written in one sitting? As to this, the panel concluded that, "Because of the poor condition of the historical diary, they are unable to conclude firmly whether it was written at one or more than one sitting. On balance, it appears to have been written at one or a few sittings."

The problem referred to regarding the condition of the diary can best be understood from the comments of David J. Purtell. He stated that with respect to the timespan of the historical diary, an answer cannot be provided because of the present condition of the paper. The documents had been processed by the silver nitrate method in an attempt to develop latent fingerprints. While a recognized method, the drawback is that it soils the paper; the silver nitrate which remains on the paper causes it to turn black in time. Today, the pages are in very poor condition, and though the message can be read in part, it is a very difficult task. One observation that can be reported is that one sheet of paper is of a different weight (thickness) than the other sheets.

Although scientifically dating the age of the writing might have proven helpful, the inability to do so did not prevent addressing the truly crucial issue, which might be stated in the question: Was this document an accumulation of random entries, each entry having been made on the date indicated contemporaneous with the events being recorded?

As to the very important question, the answer is most unsettling, for it appears to be rather clear that this document, upon which so much reliance has been placed in reconstructing the defection, is a phony. In other words, Lee Harvey Oswald's diary was

station chief in several countries overseas and had held senior positions at CIA headquarters, to testify at a public hearing the Committee had scheduled for September 15, 1978. Hart had retired in 1972 but had been recalled in 1976 to do a study of the Nosenko case and write a report for internal circulation.

Hart sought to explain away the discrepancies the House Committee had noted between Nosenko's story to the CIA in 1964 and what he told the Committee in 1978. The deputy chief of the Soviet Russia Division never intended to make a valid assessment of Nosenko's truthfulness, Hart declared, and he quoted a note written by the D.C. (or the deputy chief of the Soviet Russia Division) that, he said, indicated the real purpose of the polygraph tests: "To gain more insight into points of detail which we could use in fabricating an ostensible Nosenko confession.... Insofar as we could make one consistent and believable even to the Soviets, a confession would be useful in any eventual disposal of Nosenko." "Did you use the term eventual disposal of him?" Hart was asked by Congressman Sawyer. "I used the term, eventual disposal, yes sir, Hart replied.

Hart's presentation was a devastating indictment of the CIA's handling of Nosenko. Hart commented that the agency failed miserably in its handling of the entire case. He did not succeed in rebutting the staff report, which maintained that Nosenko, at least on the subject of Oswald and the assassination, was a fraud. Congressman Christopher J. Dodd pressed Hart on this point: "Why should this Committee believe anything that Mr. Nosenko has said when... you state he was intimidated, not interrogated, for more than three years, that he was... a man of very short memory, that he was a drunk or at least heavily drinking during part of the questioning... Why then should we believe any of the statements of Mr. Nosenko, which from point to point contradict each other?" Hart answered that he could not say Nosenko had contradicted himself, except on the subject of Oswald. "The important things... he has produced... which the Agency has been able to check on," he said, "have, by and large, proved out." It was evident that Hart was avoiding the Oswald issue.

Dodd referred Hart to the section of the staff report that covered Nosenko's contradiction on the surveillance of Oswald in the Soviet Union. "Let me express an opinion on Mr. Nosenko's testimony about Lee Harvey Oswald," said Hart. "I, like many others, find Mr. Nosenko's testimony incredible... I, as recently as last week, talked to Mr. Nosenko and tried to get him to admit that there was a possibility that he didn't know everything that was going on. I find it hard to believe that the KGB had so little interest in Oswald.... There, if I were in the position of deciding whether to use the testimony of Mr. Nosenko..., I would not use it." Hart tended to attribute Nosenko's unreliability on Oswald to innocent oversight, pointing out that the KGB, like the CIA, is a compartmentalized organization, and contact could have been made with Oswald without Nosenko knowing about it.

The D.C. had other ideas, which he wished to convey to the Committee. He sent the House Committee his analysis of the staff report along with a point-by-point rebuttal of Hart's testimony.

027: Sr. Eusebio Azcue Lopez

September 18, 1978

Eusebio Azcue was the Cuban consul in Mexico City in September 1963, at the time Lee Harvey Oswald supposedly visited there. When Oswald (or an Oswald impersonator) found out from consulate employee Silvia Duran that it would take a week for him to get a visa to travel to Cuba, Oswald had a temper tantrum until Azcue, the consul himself, was forced to step in.

Azcue was shown a photograph of Oswald and was asked if this was the man who visited him in September 1963. He said, "This gentleman...is not the person who went to the consulate...the man...was...over 30 years of age and very, very thin faced...He was...dark blond...He had a hard face. He had very straight eyebrows, cold, hard, and straight eyes. His cheeks were thin. His nose was very straight and pointed." No one has ever

described Oswald as having "straight eyes." Azcue was not questioned by the Warren Commission. He did, however, testify before the House Select Committee on Assassinations. The Committee showed Azcue photographs of Oswald, and he said this was not the man at the consulate.

028: St. Alfredo Mirabal Diaz **September 18, 1978**

Alfredo Mirabal was the consul for the Cuban embassy in Mexico City in September of 1963. He succeeded Senor Azcue in his position. He claims to have seen Lee Harvey Oswald on two separate occasions during his service as consul of the Cuban embassy. Although Mirabal didn't actually take care of Oswald, he was there to hear the confrontation between him and Senor Azcue, who was still there training Mr. Mirabal at his job. Mirabal stated that "from the very first moment it appeared to me as if this instance could be the case of provocation. I sensed that there was an intent to create some kind of a scandal, of a disturbance. That was my feeling" (*HSCA Hearings*, III, 174). He stated that this happened on two occasions and lasted for about 15-20 minutes each time. He said the two visits happened shortly after his arrival to the embassy as an employee.

After the assassination, Sylvia Duran, the secretary at the embassy, commented that the "alleged assassin is the same person that came to the consulate" (*HSCA Hearings*, III, 175). Even though he did not speak English at the time, he assured the committee that if something would have been said by Oswald of a culpatory nature, Senor Azcue or the secretary would have informed him.

Mr. Mirabal said that he remembered Oswald presenting a card or credentials that indicated he belonged to the Communist Party of the United States. He responded: "I also have been a Communist for a number of years and that generally we do not use credentials

or a card to identify ourselves... we are identified to ourselves as Communists by our own behavior and by our own ideas. I was surprised by his unusual interest in using "people on identification as a Communist" (*HSCA Hearings*, III, 176).

There is no question that Oswald went to Mexico City. When he was told he needed a photo for his visa application, he went out, had one taken, and brought it back, giving it to Sylvia Duran, the secretary. She indicated that the man in the photo was the man who came to the embassy, and the man in the photo is Lee Harvey Oswald. The Cubans have since released the original application and photo, which authenticated the published copies. Some confusion arose from Duran's description of Oswald as "blond," but brown hair like Oswald's is often lumped into the blond category, I am told, in Mexico.

029: Thomas J. Kelley **September 19, 1978**

Thomas Kelley served as secret service liaison to the Warren Commission. He was the assistant director of Protective Intelligence and Investigations in Washington, D.C., and was currently the assistant director of Protective Operations in Washington, D.C.

Mr. Kelley was a Secret Service inspector who attended most of the Saturday and Sunday interrogations of Oswald. The Warren Commission asked him nothing about that when he testified before that commission on June 4, 1964. Most of his questions dealt with the use of a 1950's Cadillac as a stand-in for the 1961 Lincoln limousine in the reenactment of the motorcade.

In one reference before the Warren Commission, he spoke of the shoulder wound, and was corrected by Arlen Specter: "By the wound in the shoulder, do you mean the wound

in the back of the President's neck, the base of his neck?" (*WC Hearings*, V, 175).

Again, before the Warren Commission, Allen Dulles had a concern about the people on the overpass: "Were they helping to guard the overpass or just the spectators?" Kelley answered that they were doing repairs (*WC Hearings*, V, 175-76). Either way it is moot; they did not belong there.

As stated, Kelley was asked nothing of substance before the Warren Commission. They didn't ask him about anything substantive regarding the interviews he attended, nor about recent threats against the President.

Thomas Kelley added nothing to the record that he hadn't previously stated before the Warren Commission.

030: James J. Rowley September 19, 1978

James Rowley was the chief of the Secret Service on November 22, 1963. He had been head of the White House detail from 1946 to 1961. He was in Washington D.C., at the time of the assassination. Much of his testimony before the Warren Commission defended Secret Service procedures and tried to create the impression that they were doing the best job they could on a limited budget.

Before the Warren Commission, Rowley claimed he notified the Immigration and Naturalization Service to close the border, but there were no questions as to whether it was done, nor was documentary proof exhibited (*WC Hearings*, V, 451). When asked if he felt if there were any failures by the Service on November 22, he answered, "No" (*WC Hearings*, V, 472).

He was not asked who planned the motorcade, or about the turn at Elm and Houston streets, or about the Service's continued interest in the case after November 22, when they theoretically lost jurisdiction.

James Rowley added nothing to the record that he hadn't previously stated before the Warren Commission.

031: James R. Malley September 20, 1978

James Malley was an FBI inspector and in charge of all the FBI agents assigned to the assassination case in Dallas as of 6:00p.m., November 22, 1963. He played an important role in putting together the Bureau's four-volume report on the assassination given to the President in December 1963. At the time, the FBI had no legitimate jurisdiction because President Kennedy's murder was not a federal crime. Malley told the Warren Commission that the CIA would not release the photo purportedly of Oswald leaving the Cuban embassy in Mexico City in September 1963, unless all background detail was trimmed away. What remained was a silhouetted photo of a man (decidedly not Oswald) that could have been taken by anybody, anywhere, at any time.

The photo of the man, that obviously was not Oswald, was a blunder by the Central Intelligence Agency. There is no doubt by anyone, on either side of the assassination issue, that Lee Harvey Oswald went to Mexico City in September of 1963.

Otherwise, Mr. Malley added nothing further to the record.

032: James H. Gale September 20, 1978

In 1963 James Gale was the Assistant Director in charge of the Inspection Division. He was in charge of approximately seven inspectors and about 25 permanent inspector's aides. He was responsible to make inspections of every seat of the government division as well as each of the fifty-six field offices on at least a one-time-per-year basis.

He was instructed to complete an analysis of any investigative deficiencies in the case of Lee Harvey Oswald. He stated before the committee that "there were certain investigative and reporting delinquencies in the investigation for which administrative action should be taken against the responsible personnel" (*HSCA Hearings*, III, 527). Some of the excuses given by the Dallas personnel was: "Oswald had been drinking to excess and beat up his wife on several occasions. The agent indicated there should be a 60-day cooling-off period and Mr. Hoover said that was certainly an asinine excuse" (*HSCA Hearings*, III, 527). It was further believed that after Oswald returned to Dallas, no interview was conducted of him because they said they were trying to avoid giving the impression that she was being harassed or hounded because of her immigrant status. Gale felt that Mrs. Oswald should have been interviewed because she was far more likely to cooperate when she was angry.

Mr. Gale testified that Lee Harvey Oswald should have been on the Security Index, which was a list of names of individuals who are participants in activities of subversive organizations, or who had anarchist or revolutionary beliefs. They were also seen as people likely to seize upon the opportunity presented by some national emergency to endanger the public safety. The Field and seat of government employees didn't feel that Oswald qualified for the Security index. Mr. Gale did feel he qualified due to his contact with the Fair Play For Cuba Committee. He had passed out pamphlets and placed a placard around his neck reading, "Hands off, viva Fidel." He had defected to Russia. He had advised the Department of State that he would furnish the Soviets any information he had acquired as a Marine aviation electronics expert. He also gave the example of Oswald being arrested "for passing out Fair Play for Cuba pamphlets on the street" (*HSCA Hearings*, III, 529). He was, in fact, arrested for disturbing the peace, not for passing out pamphlets. He then met with agent Quigley of the FBI on Saturday for a reason unbeknownst to anyone.

Mr. Gale went on to say that 17 employees at the Federal Bureau of Investigation were

disciplined, including supervisors and field agents. Some were censured and some were also put on probation. He also felt that some of the FBI agents who testified before the Warren Commission were too flamboyant, not limiting their testimony to facts the way they were suppose to as FBI personnel.

As far as Oswald's passport was concerned, the FBI felt that putting a stop on it was open to interpretation. This was due largely to not knowing whether or not he had any intelligence assignments at that time. Mr. Gale explained that this was based on his Russian background, his defection to Russia and his activities with the Fair Play for Cuba Committee (*HSCA Hearings*, III, 542).

He also stated that he didn't learn about the note that Oswald left at the Dallas office until after he had left the FBI. When Chairman Stokes asked him if James Hosty was one of the men that disciplinary action was taken against, he said: "Yes; he was." (*HSCA Hearings*, III, 545). This was of course referring to the note that had been left at the Dallas office for FBI agent Hosty. After Oswald had been killed by Jack Ruby, agent Hosty was told by his superior to get rid of the note.

Mr. Gale's final remarks before the committee are rather noteworthy: "Insofar as the investigation of Oswald, insofar as the pre-assassination investigation of Oswald, obviously would not give the agents who conducted the investigation a rating of ten. I possibly would give them a rating of maybe six or seven, insofar as the investigation of Oswald was concerned, the preassassination of Oswald" (*HSCA Hearings*, III, 557).

033: President Gerald R. Ford September 21, 1978

He was a Warren Commission member, and later became the 38th President of the United States. Early in his testimony, when talking to Chairman Stokes, President Ford stated that he had "seen no new evidence that would change my views as a former member

of the Commission" (*HSCA Hearings*, III, 564). In the summer of 1997 the Assassinations Records Review Board released a document that caused quite a stir within the Kennedy assassination community. It was revealed that the initial draft of the final report of the Warren Commission stated that President Kennedy was shot in the back, only to be changed by Gerald Ford to the back of the neck. This of course makes the single-bullet theory much more plausible and tenable. President Ford said that this change was for clarity, not conspiracy. Needless to say, his explanation was not accepted in the critics community.

President Ford said that if the Commission would have known about assassination plans between the Central Intelligence Agency and the Mafia, it certainly would have required an inquiry into those kinds of operations by an agency of the Federal Government. He stated, however, that he didn't think the plots in and of themselves would have changed the conclusions of the Commission.

Mr. Devine felt Gerald Ford was the most conscientious member of the Commission, having attended more meetings and interviewed more witnesses than anyone else on the Commission at that time (*HSCA Hearings*, III, 575-76). That isn't exactly correct. He had a good record, just not the best.

Mr. Ford was asked why Jack Ruby wasn't taken to Washington for questioning, as he had requested. His response was that after Chief Justice Warren and the rest of the staff finished interrogating him, it just didn't seem necessary to bring him to Washington for further investigation. His brother Earl Ruby was brought to Washington, yet Jack was required to testify from his cell in Dallas. Mr. Ford said he didn't think it would have a meaningful purpose if they brought him to Washington (*HSCA Hearings*, III, 577).

Mr. Devine seemed to probe the relationship of Allen Dulles, former Director of the Central Intelligence Agency, with the Commission and the CIA simultaneously. We know that Allen Dulles didn't share with the Commission the plots with the mafia to assassinate Fidel Castro. This may not have changed the outcome of the Warren Commission, but it

can't be said that Mr. Dulles was being totally honest either.

Mr. Ford spent most of the remainder of his testimony mapping out the lone-nut scenario. He does concede that after 14 years, no one has been able to precisely pin down a motive for the assassination by Lee Harvey Oswald of President Kennedy (*HSCA Hearings*, III, 581).

When Mr. Fithian asked Mr. Ford about the bullets found in the limousine, and that the Warren Report said their origin couldn't be determined through spectography or neutron activation analysis, he responded, "I am not able to recollect that detail as to what tests, if any, were conducted at that time" (*HSCA Hearings*, III, 589).

034: John Sherman Cooper

September 21, 1978 (w/John J. McCloy)

A Warren Commission member, a Republican Senator from Kentucky, Cooper objected strongly to the "magic bullet" theory saying, "there is no evidence that both men (Connally and Kennedy) were hit by the same bullet."

It is interesting that at the very beginning of Mr. Cooper's testimony a gentleman is identified as assisting Mr. Cooper, Mr. McCloy and also President Ford. It is David Belin. Mr. Belin had probably been the most outspoken apologist for the findings of the Warren Commission. Why would Cooper, McCloy and Ford, all lawyers and former members of the Warren Commission, need anyone there to help them with the questions? President Ford stated during his testimony that he doubted if many people had ever read the Warren Report (888 pages). I am absolutely convinced, having studied this case for over twenty years, including many discussions with hundreds of people, that Mr. Ford is correct. I have always been suspicious if any one member of the Warren Commission ever read the entire Report, not even to mention the 17, 740 pages that make up the 26 volumes of testimony and exhibits.

Mr. Cooper states early on in a prepared statement: "to be very honest... I held in my mind during the life of the Commission, as I have since, that there had been three shots and that a separate shot struck Governor Connally" (*HSCA Hearings*, III, 600). He further said, however, that "it did not alter the conclusion of the Commission that Oswald was the sole assassin and there was no conspiracy" (*HSCA Hearings*, III, 600).

Mr. Cooper went on to rehash some of the standard arguments for the lone-assassin: the rifle, cartridge shells, markings on the bullets, killer seen by several witnesses, his immediate flight and the fact that the killer fled from the Texas School Book Depository (*HSCA Hearings*, III, 609). He concludes that the Commission found no *trace* of conspiracy! Mr. McCloy would later disagree with the no-trace theory.

035: John J. McCloy

September 21, 1978 (w/John Sherman Cooper)

John J. McCloy testified with John Sherman Cooper and merely restated what he, along with the other members of the Commission, had previously said when interviewed. He says that there were questions of style in the preparation of the Report, but that he had no question whatever about the substance of the Report (*HSCA Hearings*, III, 601).

As Chief Justice Warren very bluntly put it, "Truth is our only goal."

He then went on to rehash the same arguments put forth by President Ford about the benefit of the very skilled and valuable investigative services at their disposal.

He later stated that he traced every step that he thought Oswald took after he committed the crime. There does seem to be an assumption of guilt on Mr. McCloy's part in reference to Lee Harvey Oswald.

He disagreed with Mr. Cooper about the veracity of the single-bullet theory, due mainly to his experience in World War I in France. The unpredictability of a bullet is always to be granted; it is the condition of the bullet, more than anything else. That has

caused the doubts to arise in the critics corner.

He did admit that "insofar as the conspiracy issue is concerned, there has been so much talk about it that I don't think I need to dwell on it any further. I no longer feel we simply had no credible evidence or reliable evidence in proof of a conspiracy, but I rather think the weight of evidence is affirmatively against the existence of a conspiracy, though it falls short of proof" (*HSCA Hearings*, III, 605).

Even though Cooper and McCloy disagreed about the tenability of the single-bullet theory and the amount of evidence for a conspiracy, they still held tight to the lone-nut apology.

036: J. Lee Rankin

September 21, 1978

J. Lee Rankin was the former General Counsel of the Warren Commission. He recalled the process of setting up the different divisions and responsibilities to be given to each area (*HSCA Hearings*, III, 613). There were five different areas assigned, with two lawyers on each of the areas.

The questioning, as with the other Warren Commission members, focused on the cooperation of the other federal agencies, particularly the CIA and the FBI. He remarked, along with the other members of the Commission, that he was unaware of the CIA/Mafia plots to assassinate Fidel Castro. He wished the CIA and the FBI had given the Commission more information, and that leads would have been followed up, but that there was nothing that would have altered the final conclusion of the Warren Commission.

The question of where Oswald was going when he allegedly shot Officer Tippit again raises its head, and again, no answer, only speculation. Mr. Sawyer doesn't want to quit asking about the Tippit connection and what Oswald was doing at the time (*HSCA Hearings*, III, 618). Rankin's response is the same every time: speculations aren't worth

very much.

When asked why they didn't interview Yuri Nosenko and his possible connections of Oswald's activities in Russia, Rankin simply told the Committee that the CIA "had told us that he was a fake and not a real KGB officer and that he was probably just planted on us" (*HSCA Hearings*, III, 620).

He then covered the same subjects that Cooper, McCloy, Ford and Griffin covered: the Jack Ruby request to testify in Washington, the Yuri Nosenko issue, the ability to fire Oswald's alleged rifle within the required time indicated by the Zapruder film, the cooperation of other federal agencies, the single-bullet theory, and Oswald's purpose and direction when supposedly confronted by Officer Tippit. All in all, Mr. Rankin added very little to the record that we didn't already have given by the other former members of the Warren Commission.

037: Nicholas Katzenbach **September 21, 1978**

Nicholas Katzenbach was the deputy attorney general under Robert Kennedy in November of 1963. The most famous piece of evidence that Mr. Katzenbach is known for is his memo to LBJ's press secretary, Bill Moyers on November 25, 1963. The controversial aspect of the memo is when Katzenbach says: "the public must be satisfied that Lee Harvey Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial." His response to that memo before the House Committee was that "it seemed to me that the quicker some information could be made available that went beyond what the press was

able to uncover and what the press was able to speculate about was desirable in that state of affairs" (*HSCA Hearings*, III, 643). How the deputy attorney general of the United States could speak with such certitude concerning these issues, when there hadn't even been any investigation to speak of, is simply amazing. Another justification he gave was that "if that was the conclusion that the FBI was going to come to, then the public had to be satisfied that that was the correct conclusion" (*HSCA Hearings*, III, 652).

The issue of the CIA/Mafia plots to kill Castro emerged, but again, nothing was resolved except that we weren't told then, but we know now. Katzenbach, along with many others who would testify before the House Committee, stated that irrespective of these withholdings by other government institutions, the final result of the Warren Commission would have been unchanged. He did, however, say that "the conclusions might be accurate but the investigation couldn't conceivably be as thorough in that period of time as the assassination of a President ought to require" (*HSCA Hearings*, III, 650).

The Nosenko affair comes up again, but Mr. Katzenbach doesn't recall having any conversation with Mr. Helms of the CIA concerning the defector's fate. Mr. Helms claimed that Mr. Katzenbach told him that the CIA's treatment of Nosenko was legal. Mr. Katzenbach said that he hoped he wouldn't have given that kind of legal advice.

Beyond this, Mr. Katzenbach added nothing of any substance to the record. Most of what he testified about was discussed at length by other witnesses.

038: Richard Helms **September 22, 1978**

Richard Helms appeared before the Warren Commission with John McCone, then head of the Central Intelligence Agency. Helms was the CIA deputy director for plans.

For those who may go to volume V and read their testimony, do so carefully. The wording of each question left *nothing* to chance. In one response, the Commission was

evaluated in light of the fact that we could not vouch for his bona fides."

The inability of former CIA Director Helms to reconcile the Nosenko matter left the House Committee not at all reassured about the agency's official position. "This is the issue which remains...to this very day," Helms testified, "that no person familiar with the facts, of whom I am aware, finds Mr. Nosenko's comments about Lee Harvey Oswald and the KGB to be credible. That still hangs in the air like an incubus." Helms said that he did not know how to resolve "this bone in the throat," because he could not say he believed Nosenko to be a bona fide defector or that we could rely on what he had said about Oswald. "If Mr. Nosenko turned out to be a bona fide defector," he said, "if his information were to be believed, then we could conclude that the KGB and the Soviet Union had nothing to do with President Kennedy's murder. If, on the other hand, Mr. Nosenko had been programmed in advance by the KGB to minimize KGB connections with Oswald, if Mr. Nosenko was giving us false information about Oswald's contacts with the KGB from 1959 to 1962, it was fair for us to surmise that there may have been an Oswald-KGB connection in November 1963, more specifically that Oswald was acting as a Soviet agent when he shot President Kennedy."

Chairman Preyer spoke for the Committee when, at the conclusion of Richard Helm's testimony, he said: "I think the past two days of testimony have shown the CIA did things fifteen years ago or so which shock us, sometimes shock us profoundly.

Today I heard someone at the luncheon recess conclude from this testimony that America is a lawless society because one of our institutions broke the law some years ago. Well, this is certainly a lawless society. Russia is a lawless society, where a handful of people control things and where you cannot change things unless a revolution or a war comes along.

I think the past few days' hearings have indicated that we can change things....It is impossible to conceive of a KGB agent, for example, ever admitting that anything they did fifteen years ago was wrong.

"The truth about these things, I think, will free up the CIA from past mistakes, and it will free all of us."

039: Dr. Clyde Collins Snow

September 25, 1978

The House Select Committee on Assassinations (HSCA) charged Dr. Clyde Collins Snow, B.S., Ph.D., Chief, Physical Anthropology Division, Civil Aeromedical Institute of the Federal Aviation Administration, a forensic anthropologist, to look at autopsy X-rays, to determine whether it was Lee Harvey Oswald or Billy Lovelady in the doorway of the TSBD as the Presidential limousine traveled west down Elm Street, to bring to question whether Joseph Milteer was on the east side of Houston street as the Limousine passed on its way toward the TSBD, and last of all, to make a judgment on who the three so-called tramps are that were arrested that day in Dallas behind the picket fence inside of a railroad car. These issues have stirred up controversy over the years within the research community.

Dr. Snow authenticated the X-rays by comparing them with the pre-mortem films showing President Kennedy's sinus print – the ridge of bone at the rear of the nose. Since the sinus print is as individual as a fingerprint, the autopsy X-rays were those of President Kennedy and no one else.

Dr. Snow subsequently concluded that the person standing in the doorway of the TSBD is not Lee Harvey Oswald, but in fact, Billy Lovelady.

The individual standing on the east side of Houston street was determined by Dr. Snow to be of some unknown individual, not Joseph Milteer, the rabid segregationist from Miami, Florida, who had been taped earlier in the month, saying that Kennedy was going to be hit, and that it would be done from a building with a high-powered rifle.

As to the tramps, Dr. Snow spent considerable time demonstrating who the tramps

were not. The HSCA anthropologists looked at the photographs and made some measurements trying to take into consideration certain differences in the cameras that were used, then they made a scientific chart to demonstrate their findings. The Rockefeller Commission qualified their conclusion that E. Howard Hunt and Frank Sturgis (Watergate burglars), were not the tramps with the words "as shown in the photographs submitted." The HSCA went on to say that in response to a 1975 Newsweek (*HSCA Hearings*, VI, 258) story the CIA conducted "a physiological comparison of the Hunt and Sturgis photographs with the tramp photographs." The CIA study reached the same conclusion as the Rockefeller Commission. Neither group used a photoanalyst.

The HSCA concluded that Hunt and Sturgis "were not the tramps" (*HSCA Hearings*, VI, 259). Since Sturgis could not be ruled out on "metric traits" the HSCA had to note the following "morphological differences" between Sturgis and the tramp: "Hair-Sturgis is a very dark brunette with strongly waved hair; tramp B had medium dark hair with a slight wave." Earlier, they admitted that the tramps' outfits "might be a disguise" due to the fact that the Hunt tramp looked like "he had been fired from a cannon through a Salvation Army Thrift Shop..." But they then stated, "...their footwear seems consistent with their classification as vagrants." The next "morphological trait" that rules out Sturgis is his "hairline." "The hairline of tramp B shows more bilateral recession than is observed in Sturgis." Moving on to Sturgis' nose, "Tramp B has a concave nasal profile with a rounded, slightly bulbous, nasal tip. Sturgis' nasal profile is slightly convex and the nasal tip is less bulbous than that of the Tramp." What is really being said here is that the two noses are quite similar. Both have bulbous tips and although one is concave the other is only "slightly convex." Next, the chin - "The most striking difference between the two men is the form of the chin. Sturgis' is massive and square; Tramp B has a small and rounded chin."

Sturgis' ears are very important. The HSCA thought the ears of the tramp and Frank's were quite similar. But now they point out a dissimilarity - "Tramp B's ears are

considerably more projecting than those of Sturgis which are rather close set. Finally, physique. "Tramp B appears to be considerably more linear in body build than Sturgis, who is broad and stocky in physique." From the above points the HSCA concludes, "Sturgis can be excluded as being Tramp B."

The HSCA report states, "In comparing Hunt with Tramp C, the average difference of the two men is 9.0, (*HSCA Hearings*, VI, 263) a value significantly high to suggest no particularly strong resemblance in facial proportions." The HSCA went on, "In addition, in comparing the photographs of the Tramp to those of Hunt taken in the late 1950's and early 1960's, the following morphological differences were noted: Forehead: Tramp C has several well-developed transverse frontal sulci and a strong vertical intercilary sulcus. These are not observed in Hunt who, even in photographs taken years earlier, has only slightly developed transverse frontal and intercilary furrows."

The report does state that both Hunt and the tramp have the same forehead furrows, but the tramp's are more pronounced. This theory is consistent with the HSCA analysis of the cheeks of Hunt and the tramp, "Tramp C has well developed nose labial folds whereas in Hunt these are only incipiently developed in his photographs taken at about the same time as the assassination." The HSCA cites, "In general facial tone, age lines and other features, Tramp C appears to be a decade older than Hunt."

Hunt's nose is examined next, "The tramp has a relatively broad nose with a bulbous fleshy nasal tip. The nasal tip is not depressed. Hunt has a narrow nose with a salient nasal bridge and an angular, moderately depressed nasal tip." They said that, "Mouth- Tramp C has thick full membranous lips; Hunt is thin lipped."

At last we get to Hunt's ears. "From his photographs, it is apparent that Hunt underwent surgery to correct his rather projecting ears. The date of this operation was not determined, but from the photographs, it would appear to have been within a few years before or after the assassination. In degree of projection, the Tramp's ears appear to more closely match Hunt's pre-surgical condition."

The report continues, "Two features not influenced by the surgery are strongly different in the two men. One of these is the helix, the fold of flesh that forms the outer rim of the ear. In the Tramp, this fold is wide and prominent whereas it is narrower and more weakly developed in Hunt. The second difference is in the anti-helix, the secondary fold that roughly parallels the helix inside the ear. This structure is strongly developed in the Tramp and, in fact, its lower portion appears to extend beyond the helix. In Hunt, the anti-helix is weakly developed."

The last difference regards a scar. "In the tramp there is a pit-like ovoid scar about one centimeter in diameter located immediately above the lateral end of his right eyebrow. This feature is not observed in any of the Hunt photographs provided for examination."

Mr. Fithian of the HSCA asked Dr. Snow, "It is my understanding that the CIA and FBI conducted their own analyses of the tramp photos that attempt to identify the individuals. Did you get into that?" Dr. Snow replied, "We didn't participate in either of those analyses. However, after being called in as consultants to this committee, we were furnished copies of the reports of the CIA and FBI analysis."

Unfortunately, this is all moot. In February 1992, the Dallas Police Department released JFK assassination files that disclosed the identities of the three "tramps" apprehended in a railroad car. The files names the tramps: John Forrester Gedney, 38, Harold Doyle, 32, and Gus Abrams, 53. According to the *New York Daily News* (March 4, 1992), Abrams, Doyle, and Gedney were indeed the tramps – actual vagrants – and are not considered suspects in the case. The most recent information indicates that these three men were held for four days by the Dallas Police Department on vagrancy charges, rather than interviewed briefly and released, as was reported previously. According to the FBI, Gedney has been located in Melbourne, Florida, where he was interviewed and cleared of suspicion.

Dr. Bob Hunt had a Ph.D. in systems engineering from the University of Arizona. He was also an alternate group leader at the University of California's Los Alamos Scientific Laboratory.

The task of Dr. Bob Hunt, as a spokesperson for the photographic panel, was to evaluate the various pictures and films related to the assassination. He was initially asked about three different pieces of film: the Hughes film, the Dillard photograph and the Powell photograph.

The Hughes film was an 8 millimeter film that is 88 frames long. It is estimated to have been taken and terminate about 5 seconds before the first shot was fired. The importance of the film is that it shows the presidential limousine proceeding toward the Texas School Book Depository and then turning onto Elm Street. The Dillard photograph was taken from a press car just a few seconds after the last shot was fired, according to his testimony before the Warren Commission. The Powell photograph was taken about 1 to 2 minutes after the last shot was fired. The issues principally concern themselves with what is visible with the sixth floor School Book Depository window (southeast window to be precise).

In regards to the Hughes film, there was motion detected at the 85th frame, but none that is attributable to any human object. The motion, according to the photographic panel, was due to "photographic artifacts, namely the change in contrast frame to frame, the change in focus as the image of the window moves around in the frame of the film" (*HSCA Hearings*, IV, 404). Dr. Hunt did say, however, that it was very possible that there was a human object there, but it would be beyond the perceptibility of the imagery as recorded on film. (*HSCA Hearings*, IV, 404). Adjacent windows were also examined; no motion was detected.

The Dillard photograph yielded no details of a human form or face through the enhancement done by the committee. The Powell photograph had the same results.

Nothing that was perceptibly human was located on either photograph.

Dr. Hunt then proceeded to discuss the Nix film (a film taken on the opposite side of Elm Street than Abraham Zapruder was on, the south to be exact), the Moorman photograph and the Willis photograph.

He began with the Willis photograph. It had been alleged by some that there was a dark object representing a gunman by the retaining wall. Dr. Hunt said that based "upon the flesh-tone measurements which we took off of the object at the wall, and comparing those to similar measurements on the flesh tones on Zapruder's secretary, we concluded this was a person standing at the wall" (*HSCA Hearings*, IV, 410). When looking at the Moorman photograph, which was also taken on the south side of Elm Street, the photographic committee concluded there was no evidence of a person that is visible in the Willis photograph in the Moorman photograph. The Willis photograph came approximately 5 seconds before the Moorman photograph. When the Nix film was analyzed in respect to the same figure by the retaining wall, the panel concluded there was no flesh tones associated with that region that was also found on Zapruder and his secretary.

The panel concluded by analyzing frame 413 of the Zapruder film. The visibility of a head is seen for 18 frames (which would be equivalent to 1 second of time, since the Zapruder film ran at 18 frames per second). The conclusion of the Committee was this was not a head in the bush, but a man literally standing out near an area of sidewalk in the plaza.

The critics have always felt that more work should be done in regard to these films and photographs. The House Committee stands on their record of investigation and analysis.

agent. Win claimed to have no knowledge of what a flechette even was until the night before he testified before the House Committee. (HSCA Hearings, IV, 437). Carter's

About the time that President Kennedy was hit by a bullet, two men standing near each other on the north sidewalk of Elm Street acted most strangely – one began pumping a black umbrella while the other waved his right arm high in the air. These and subsequent actions by this pair aroused the suspicions of researchers over the years, yet the initial federal investigation ignored both men. Their activities are known only through analysis of assassination photographs.

As President Kennedy's limousine began the gentle descent into Dealey Plaza, a man can be seen standing near the street-side edge of the Stemmons Freeway sign holding an open umbrella. He holds the umbrella in a normal fashion and the top of the umbrella almost reaches the bottom of the sign.

In photos taken minutes before Kennedy's arrival, the umbrella is closed and, immediately after the shooting, pictures show the umbrella was closed again. The man's umbrella was only open during the shooting sequence. Furthermore, as seen in the Zapruder film, once Kennedy is exactly opposite the man with the umbrella, it was pumped almost two feet into the air and then lowered.

At the same time, the second man – in photos he appears to be dark complected, perhaps a black man or Hispanic – raised his right hand into the air possibly making a fist. This man was located on the outer edge of the Elm Street sidewalk opposite the umbrella man, who was on the inner edge.

The man with the open umbrella was the only person in Dealey Plaza with an open umbrella. Under the warm Texas sun, there was no reason to carry an open umbrella at that time.

Two main theories have emerged concerning the "umbrella man" and his activities that day. Assassination researcher Robert Cutler has long maintained that the umbrella may have been a sophisticated weapon that fired a dart or "flechette" filled with a paralyzing

agent. Witt claimed to have no knowledge of what a flechette even was until the night before he testified before the House Committee (*HSCA Hearings*, IV, 437). Cutler's theory is supported by the 1975 testimony of a CIA weapons developer who told the Senate Intelligence Committee that just such an umbrella weapon was in the hands of the spy agency in 1963.

Charles Senseney, who developed weaponry for the CIA at Fort Detrick, Maryland, described a dart-firing weapon he developed as looking like an umbrella. He said the dart gun was silent in operation and fired through the webbing when the umbrella was open. Senseney said the CIA had ordered about fifty such dart weapons and that they were operational in 1963.

Cutler theorized that the umbrella was used to fire a paralyzing dart into Kennedy immobilizing him for marksmen with rifles. He claims this theory accounts for the small puncture wound in Kennedy's throat described by Dallas doctors, but which was altered by the time of the Bethesda autopsy. According to Cutler, this dart explains Kennedy's lack of motion during the shooting sequence.

Most assassination researchers, however, prefer the alternative theory that both of these suspicious men may have been providing visual signals to hidden gunmen. This theory suggests that Kennedy was killed by a crossfire coordinated by radiomen. The two men, who were among the closest bystanders to the President when he was first struck, gave signals indicating that he was not fatally hit and therefore more shots were needed.

A fascinating twist on this latter theory came from researcher Gary Shaw, who said the two men may have been providing Kennedy with a last-second sign of who was responsible for his death. Shaw recalled that throughout the planning of the Bay of Pigs invasion, CIA officers had promised an "umbrella" of air protection of the Cuban invaders. This "umbrella" failed to materialize because Kennedy refused to authorize U.S. military support for the invasion. According to Shaw's theory, the man with the open umbrella symbolized the promise of an air-support "umbrella" while the dark-complected man may

have been one of the anti-Castro Cuban leaders known to Kennedy. Thus, in the last seconds of his life, Kennedy may have seen the open umbrella and the face of a Cuban he knew was involved in the Bay of Pigs and realized who was participating in his death.

But this is all speculation. The existence of the “umbrella man” and the dark-complected man is fact. Even their activities after the assassination bear study. While virtually everyone in Dealey Plaza was moved to action by the assassination – either falling to the ground for cover or moving toward The Grassy Knoll – these two men sat down beside each other on the north sidewalk of Elm Street.

Here the dark-complected man appears to put a walkie-talkie to his mouth. In a photograph taken by Jim Towner, what seems to be an antenna can be seen jutting out from behind the man’s head while his right hand holds some object to his face.

Several photos taken in the seconds following the assassination show both of these men sitting together on the Elm Street sidewalk. Moments later, the man with the umbrella gets up, takes one last look toward the motorcade still passing under the Triple Underpass, and begins walking east in the direction of the Depository. The dark-complected man saunters toward the Triple Underpass passing people rushing up The Grassy Knoll. He can be seen stuffing some object into the back of his pants.

Despite the suspicious actions of these two men, there is no evidence that the FBI or the Warren Commission made any effort to identify or locate them. Officially they did not exist. Yet over the years, this pair became the focal point of criticism by private researchers. Researchers claimed the lack of investigation of these men was indicative of the shallowness of the government’s handling of the assassination.

Once the House Select Committee on Assassinations was formed, researchers urged an investigation of both men. The Committee finally released a photograph of the “umbrella Man” to the news media and urged anyone with knowledge of the man to come forward.

Coincidentally – if it was a coincidence – the “umbrella man” suddenly was identified in Dallas a few weeks after this national appeal. In August 1978, a telephone caller told

researcher Penn Jones, Jr., that the man with the umbrella was a former Dallas insurance salesman named Louis Steven Witt. Jones contacted some local newsmen and together they confronted Witt, who then was working as a warehouse manager. Witt refused to talk with newsmen but acknowledged that he was in Dealey Plaza on the day President Kennedy was killed.

Jones said that he felt the man had been coached. He would answer no questions and pointedly invited them to leave. His only positive statement, which seemed to come very quickly, was that he was willing to appear before the House Select Committee on Assassinations in Washington.

Witt indeed appeared before the Committee during its public testimony. His story was comic relief compared to the intense scrutiny of witnesses like Marina Oswald and Warren Commission critics. His story was facile and improbable and when the umbrella that Witt claimed was the same one he had had in Dealey Plaza in 1963 was displayed, it suddenly turned wrong-side out, prompting Chairman Stokes to quip: "I guess there is no gun in it" (*HSCA Hearings*, IV, 444).

Witt told the Committee that on the spur of the moment, he grabbed a large black umbrella and went to Dealey Plaza to heckle President Kennedy. He claimed that someone had told him that an open umbrella would rile Kennedy. While Witt offered no further explanation of how his umbrella could heckle the president, Committee members theorized that the umbrella in some way referred to the pro-German sympathies of Kennedy's father while serving as U.S. ambassador to Britain just prior to World War II. They said the umbrella may have symbolized the appeasement policies of Britain's prime minister Neville Chamberlain, who always carried an umbrella. According to Witt: I think I went sort of maybe halfway up the grassy area [on the north side of Elm Street], somewhere in that vicinity. I am pretty sure I sat down....[when the motorcade approached] I think I got up and started fiddling with that umbrella trying to get it open, and at the same time I was walking forward, walking toward the street....Whereas other

people I understand saw the President shot and his movements; I did not see this because of this thing [the umbrella] in front of me....My view of the car during that length of time was blocked by the umbrella's being open" (*HSCA Hearings*, IV, 432-33, 440).

Based on the available photographs made that day, none of Witt's statements were an accurate account of the actions of the "umbrella man" who stood waiting for the motorcade with his umbrella in the normal over-the-head position and then pumped it in the air as Kennedy passed.

Witt's bizarre story – unsubstantiated and totally at variance with the actions of the man in the photograph – resulted in few, if any, researchers accepting Louis Steven Witt as the "umbrella man."

And there continues to be no official accounting for the dark-complected man who appears to have been talking on a radio moments after the assassination. The House Select Committee failed to identify or locate this man and Witt claimed he had no recollection of such a person, despite photographs that seem to show the "umbrella man" talking with the dark man.

Witt claimed only to recall that a "Negro man" sat down near him and kept repeating: "They done shot them folks" (*HSCA Hearings*, IV, 434, 441).

Interestingly, one of the Committee attorneys asked Witt specifically if he recalled seeing the man with a walkie-talkie, although officially no one has ever admitted the possibility of radios in use in Dealey Plaza. For many, the "umbrella man" and the "dark-complected man" are still among the mystery people of Dealey Plaza.

Jacqueline Hess, chief of research, who took over from Donovan Gay, was in charge of the mysterious deaths project. She states that this association of people dying associated with the Kennedy assassination was raised to national attention by the movie "Executive Action." She incorrectly says that the movie was based on Mark Lane's book "Rush To Judgment." The movie may take some data from the film, but Mark Lane and Dalton Trumbo worked together on the screenplay, some seven years after the publication of the book. Ms. Hess cites an advertisement for the movie "Executive Action" which "states that an actuary engaged by the London Sunday Times concluded that on November 22, the odds against 18 material witnesses being dead within a year period were 100,000 trillion to 1" (*HSCA Hearings*, IV, 463).

On April 27, 1978, the Committee received a copy of the London Sunday Times article of February 26, 1967. The chart in the article states that 19 individuals were used as being victims of mysterious deaths, including Lee Harvey Oswald and Jack Ruby. The London Times then asked an actuary to compute the life expectancy of 15 of these individuals. "The actuary concluded that on November 22, 1963, the odds against all 15 being dead by February 1976 were about 1 in 10 to the 29th power, or 100,000 trillion to 1" (*HSCA Hearings*, IV, 463).

When the HSCA inquired about the name of the actuary that the London Sunday Times consulted, no one in the editorial staff who was involved in the story could remember. The HSCA then contacted their own actuarial firms in the District of Columbia: Edward H. Friend & Co., Towers Perrin, Forster & Co., and the Wyatt Co. They all met to see what the feasibility was of an actuary study being conducted. "We had thus established the impossibility of attempting to establish through the application of actuarial principles, any meaningful implications about the existence or absence of a conspiracy. Despite the fact that an inference of conspiracy, as here postulated by the critics, did not exist, we nevertheless decided not to dismiss the cited deaths out of hand, but rather, to look more closely at the nature of certain specific deaths to determine

whether or not they could individually be considered mysterious or in some other manner a reflection of some sort of conspiracy" (*HSCA Hearings*, IV, 465-66).

The HSCA then took these same 19 individuals and added 2 more, Sam Giancana and John Roselli. We are not informed as to the rest of her methods of evaluation, except that they tried to get some of the records in the cases. How, we don't know. The alphabetical list begins with Edward Benairdes (sic). This is an obvious misspelling; his name is Edward Benavides. This is not a conspiracy on the part of the Committee. The rest of the list is as follows: Albert Guy Bogard, Hale Boggs, Lee Bowers, Jr., Bill Chesher, Nicholas J. Chetta, David Goldstein, Thomas Hale Howard, William Hunter, Clyde Johnson, Dorothy Kilgallen, Thomas Henry Killam, Jim Koethe, FNU Levens, Nancy Jane Mooney, Teresa Norton, Earlene Roberts, Harold Russell, Marilyn April Walle, a.k.a. Betty McDonald, William W. Whaley, James R. Worrell, Sam Giancana, John Roselli. The Congressional list includes only a small number of those who died mysteriously in the case. The Congressional Records of that time indicated that many Congressmen and Senators, including the first two chairmen of the Committee, were deeply disturbed by the murders of Sam Giancana and Johnny Roselli (*Congressional Record* 10,357).

The final conclusion of Ms. Hess and her staff was that "the available evidence does not establish anything about the nature of these deaths which would indicate that the deaths were in some manner, either direct or peripheral, caused by the assassination of President Kennedy or by any aspect of the subsequent investigation" (*HSCA Hearings*, IV, 467).

She further emphasized, when asked by Mr. Fithian, that any statistical inference was not able to be established because of the inability of specificity, the universe that these people existed in, categories into which those individuals who mysteriously died, fell. Age, sex, race, occupation, geographical location, and any other factors that would contribute to actuarial mortality rates were also considered.

When asked why the death of Mr. George DeMohrenschildt was not included in her

study, she said his was one that deemed further investigation. She used DeMohrenschildt in terms of compilation of data, but in terms of a subsequent investigation--that was done by the investigators. George DeMohrenschildt died of a gunshot wound the day a committee investigator located him. Critic and assassination researcher Edward Jay Epstein had an interview scheduled with him that day. One wonders why people like Buddy Walthers and Roger Craig weren't mentioned.

043: Earl Ruby

September 26, 1978

Earl Ruby was called before the Warren Commission on June 3, 1964. For reasons totally unfathomable, was called to *Washington* to testify, ahead of his brother Jack, who was required to testify from a Dallas jail.

Before the Commission, Jack Ruby's brother read a statement into the record: "My brother, Jack, was deprived, and is presently being deprived, of his constitutional and civil rights. The hatred and bigotry in Dallas, Texas, resulted in the assassination of our President. It almost cost the lives of our present President, Mr. Johnson, and others" (*WC Hearings*, IV, 413). That statement hardly sounded like an accusation against Oswald, yet in the remaining 17 pages of his testimony, his references to Dallas bigotry and hatred were ignored. Also, there were no questions as to any conversations on the assassination weekend between the witness and his brother. Instead, the Commission focused on the witness's adoptive parents at age 6, and how kosher the meals were. What wasn't kosher was the Commission's "desire for truth."

Earl Ruby added nothing further to the record that hadn't been stated in his testimony before the Warren Commission.

Jack Revill, a Dallas Police Department lieutenant, and detective, returned from the Texas School Book Depository on November 22 at about 2:50 pm only to be met by FBI Special Agent James Hosty, who allegedly reported, "Jack, a Communist killed President Kennedy. Lee Oswald killed President Kennedy. He is in our Communist file. We knew he was here in Dallas. We had information that this man was capable—" (*WC Hearings*, V, 34-5).

When Revill testified before the Warren Commission in Dallas during the month of March, it was a very pleasant proceeding. He indicated that he had been put in charge of the investigation of Ruby's shooting of Oswald, clearly showing he was a trusted officer (*WC Hearings*, XII, 74).

Between his two appearances on March 31 and May 13, 1964, before the Warren Commission, a report dated November 22 surfaced, indicating that Revill and Hosty, overheard by Detective Brian, had the above-cited conversation. And the WC wanted no part of it. They did everything possible to rattle the witness's cage, but Revill maintained the beliefs that he put in the report that went to Captain Gannaway. The question remained open, but it suggests that the FBI may have had more knowledge than they let on, and it is also curious that the Commission would bring Revill to DC to report one conversation, while Jack Ruby pleaded to get the same trip with possibly better information, and was refused.

Revill also noted that 4 or 5 picketers at the Trade Mart (possibly holdovers from the Stevenson incident) were taken into custody after the assassination for their own protection: "I am afraid they would have been mobbed" (*WC Hearings*, V, 36). Revill also indicated he learned much about Oswald's arrest from FBI agent Robert Barrett, a ubiquitous individual about whom the WC had very little curiosity (*WC Hearings*, V, 40).

Jack Revill added nothing further to the record that hadn't been stated in his testimony before the Warren Commission.

045: Lewis McWillie

September 27, 1978

In mid-1959, the Rothman gun-running operation was rocked when its chief was arrested in connection with an \$8.5 million Canadian bank burglary. Federal authorities linked the bank job with a large theft of arms from an Ohio National Guard armory through a \$6,000 airplane rental agreement by Rothman. Authorities agreed it appeared to all be part of a massive gun-running operation to Cuba. It was during this time that Jack Ruby's travels to Cuba increased significantly, thanks to Ruby's mob idol, Lewis McWillie. McWillie was essentially brought in to testify in order to link Ruby to the Mafia.

McWillie—potentially a key central character in this swirl of gun-running, drug smugglers, mob hitmen, CIA-Mafia assassination plots and Texas gamblers—has received scant attention from the two major government assassination investigations.

In his Warren Commission testimony, Ruby made no secret of his closeness to McWillie. He said: "I called him frequently...I idolized McWillie. He is a pretty nice boy and I happened to be idolizing him....I always thought a lot of him...I have a great fondness for him...."

The Warren Report mentioned McWillie only briefly, regarding Ruby's 1959 visit to Cuba, and concluded: "The Commission has found no evidence that McWillie has engaged in any activities since leaving Cuba that are related to pro- or anti-Castro political movements or that he was involved in Ruby's abortive jeep transactions."

While the Warren Commission took Ruby and McWillie's word that the 1959 trips to Cuba were "purely social," the House Select Committee on Assassinations did not. After

listing a number of visits to Cuba based on visas, airline tickets, and even a postcard, Chief Counsel Blakey wrote: "...we established beyond reasonable doubt that Ruby lied repeatedly and willfully to the FBI and the Warren Commission about the number of trips he made to Cuba and their duration....It was clear, for example, that the trips were not social jaunts; their purpose, we were persuaded, was to courier something, probably money, into or out of Cuba...the evidence indicated strongly that an association [with Trafficante] existed and that Ruby's trip was related to Trafficante's detention and release. We came to believe that Ruby's trips to Cuba were, in fact, organized-crime activities."

Lewis J. McWillie was born on May 4, 1908, in Kansas City, Missouri. From 1940 until 1958, he lived in Dallas where he managed several gambling operations, including Benny Binion's legendary Top of the Hill Terrace and the Four Deuces in nearby Fort Worth owned by gentleman gambler W.C. Kirkwood. [Recall it was his son, Pat Kirkwood, who hosted Kennedy's Secret Service agents the night before the assassination.]

By September 1958, McWillie was manager of the Tropicana Hotel's luxurious casino, then styled as "the largest nightclub in the world." It was here that McWillie became a close associate of some of the mob's most powerful leaders. According to a March 26, 1964, FBI memo prepared for the Warren Commission: "...it would appear McWillie solidified his Syndicate connections through his association in Havana with Santos Trafficante, well-known Syndicate member, for Tampa, Florida; Meyer and Jake Lansky; Dino Cellini and others who were members of or associates of "the Syndicate."

When Castro closed the Tropicana, McWillie became pit boss at the Capri Hotel's casino, another Trafficante property. The Capri was then run by Charlie "The Blade" Tourine, whose mistress later confirmed that she was assisting Frank Sturgis in an attempt to poison Castro. McWillie finally left Cuba in January 1961. According to Ruby and others, he was one of the last American mobsters to leave the island.

Although during testimony before the House Select Committee on Assassinations,

Trafficante plainly stated, "I never remember meeting Jack Ruby," the Committee concluded there was considerable evidence that such a meeting did take place.

But these connections, especially in light of the current theory of mob involvement in the assassination, certainly elevate Ruby far above the simple, emotional nightclub owner pictured by the Warren Commission. The House Committee's chief counsel Robert Blakey, commenting on Ruby's connections with both mobsters and Cuba, wrote: "Our conclusion about Ruby in Cuba did not necessarily mean organized crime had a hand in the events in Dallas in 1963, but it did shift the balance in the careful process of weighing the evidence."

The background of Jack Ruby is laced with mob associates and contacts, including Lewis McWillie, that lasted right up to the eve of the Kennedy assassination. Obviously Jack Ruby was much more than simply an overwrought nightclub owner who shot Lee Harvey Oswald to save Mrs. Kennedy the trauma of returning to Dallas to testify at Oswald's trial.

046: Jose Aleman September 27, 1978

On March 12, 1977, four days before the committee's first interview with Santos Trafficante, committee investigator Gaeton Fonzi, interviewed Jose Aleman, the wealthy Cuban exile who had alleged to the FBI in the fall of 1962 that Trafficante had told him President Kennedy "was going to be hit." During the interview, held in secret session, Aleman expanded considerably on the original allegation he had made to the FBI in the fall of 1962 and had repeated the day after the assassination. He told the Assassinations Committee that during his conversation with Trafficante, the Florida boss had said that Kennedy would "get what is coming to him" as a result of his administration's intense efforts to prosecute Hoffa. Aleman then went on to tell the committee that Trafficante

had made it quite clear to him that he was not guessing that the President was going to be killed. Rather he did, in fact, know that such a crime was being planned. According to the Assassinations Committee's final report, Aleman further stated that Trafficante had given him the distinct impression that Hoffa was to be principally involved in planning the presidential murder.

A little over a year later Aleman was called to testify before the House Select Committee on Assassinations again, this time in public session. Prior to his appearance before the committee, Aleman reaffirmed his original account of his September 1962 meeting with Trafficante, but then, just his appearance in public session, he told members of the committee staff that he feared for his physical safety and was afraid of possible reprisal from Trafficante or his organization. Then, when he took the stand, he repeated under oath that Trafficante had said Kennedy "was going to be hit" but hedged his remark by saying that Trafficante may have only meant the President was going to be hit by "a lot of Republican votes" (*HSCA Hearings*, V, 305) in the 1964 election, not that he was going to be assassinated.

When Trafficante himself appeared before the committee for the second time, on September 28, 1978, he admitted, in his immunized testimony, that he had conspired with the CIA to kill Fidel Castro but "denied any foreknowledge of, or of participation in, the President's murder."

Five years later. A penniless and despondent Jose Aleman, wholly convinced the Mafia was out to get him, committed suicide after killing his 69 year old aunt and seriously wounding three cousins, one of whom was only 6 years old, and wounding as well four SWAT team officers of the Miami Police.

Aleman, the only son of a wealthy former minister of education in pre-Batista Cuba, had lost a fortune estimated to have once been worth around \$30 million. (His investments had included the Miami Stadium, the huge Cape Florida development in Key Biscayne, and several luxury hotels in Miami.) Aleman had become convinced that his

1978 congressional testimony against Santos Trafficante had ultimately caused his financial ruin and had marked him and his family for the rest of their lives.

Tormented by these thoughts, Aleman went beserk as soon as he woke up on the morning of August 1, 1983, and, in a wild rampage, opened fire on everyone in his house and then, after the SWAT team arrived and he had exchanged fire with them, shot himself in the temple, dying instantly.

Aleman's surviving relatives later told the press that he had been consumed with fear because of his 1978 testimony before the House Select Committee on Assassinations in which he stated that Santos Trafficante had told him in 1962 that "President John F. Kennedy would not get reelected in 1964, and that he was going to get hit." From that day on he believed he and his family were on a Mafia hit list.

047: Santos Trafficante

September 28, 1978

Santos Trafficante was a purported Mafia boss who was based in Tampa, Florida. During a 30-year span, including the time of the assassination, Trafficante controlled mob operations in Cuba before Castro's revolution and maintained close ties to the paramilitary Cuban exiles. He died in 1987.

On January 14, 1992, Jack Newfield of the *New York Post* quoted Frank Ragano, Trafficante's lawyer of 27 years, as saying that Jimmy Hoffa had sent him to New Orleans to instruct Trafficante and New Orleans mob boss Carlos Marcello to kill the president. The HSCA reported that: "Trafficante, like [assassination suspect Carlos] Marcello, had the motive, means and opportunity to assassinate President Kennedy... Trafficante was a key subject of the Justice Department crackdown on organized crime during the Kennedy administration, with his name being added to a list of the top 10 syndicate leaders targeted for investigation. [RFK's] strong interest in having Trafficante prosecuted occurred

during the same period in which CIA officials, unbeknownst to the Attorney General, were using Trafficante's services in assassination plots against... Fidel Castro.

The committee found that... Trafficante's stature in the national syndicate of organized crime, notably the violent narcotics trade, and his role as the mob's chief liaison to criminal figures within the Cuban exile community, provided him with the capability of formulating an assassination conspiracy against President Kennedy. Trafficante had recruited Cuban nationals to help plan and execute the CIA's assignment to assassinate Castro." (The CIA gave the assignment to former FBI agent Robert Maheu, who passed the contract along to Mafia figures Sam Giancana and John Roselli. They, in turn, enlisted Trafficante to have the intended assassination carried out.)

Trafficante admitted to his role in the plot to kill Castro during his HSCA testimony. In his September 28, 1978, HSCA testimony, however, he "categorically denied ever having discussed any plans to assassinate President Kennedy."

Regarding Trafficante's association with Jack Ruby, the HSCA reports: "Ruby may have met Trafficante at Trescornia prison in Cuba during one of his visits to Havana in 1959, as the CIA had learned but had discounted in 1964. While the committee was not able to determine the purpose of the meeting, there was considerable evidence that it did take place."

On November 28, 1963, the CIA sent a copy of a memo to LBJ aide McGeorge Bundy, stating that, in 1959, Trafficante had been visited by Ruby in jail in Cuba. A July 21, 1961, Treasury Department memo made public in 1976 stated that there were "unconfirmed rumors in the Cuban refugee population in Miami that when Fidel Castro ran the American racketeers out of Cuba and seized the casinos, he kept... Trafficante... in jail to make it appear he had a personal dislike for Trafficante, when in fact Trafficante is an agent of Castro. Trafficante is allegedly Castro's outlet for illegal contraband in this country."

Trafficante basically told the House Committee nothing that they already didn't know.

He admitted to the attempted assassination plots of the CIA to kill Castro, but they already knew about those. If the Committee was trying to get anything from Trafficante, they were sorely disappointed.

048: Ralph Salerno

September 28, 1978

Ralph Salerno was a retired organized crime expert of the New York City Police Department, who had a reputation of knowing more about the Mafia than any other nonmember. Salerno was brought in to put Ruby's ties to the Mafia in perspective. He gave a brief characterization of this criminal organization in his testimony before the House Committee: There is a national conspiratorial criminal organization within the United States whose members refer to themselves as La Cosa Nostra. The organization is made up of groups known to the members as families. The families are headed by a leader who is referred to as a boss or the Italian word capo is used. The families have a second in command, executive officer to the leader, who is referred to as the underboss, and they use the Italian word sottocapo.

The families have a position known as counselor, or they use the Italian word consigliere, who is considered to be an adviser and who is available to all of the members of the family.

The family has within it subunits, known originally as Decina.... The subunits are headed by a person with a title of caporegime, or the head of the regime. This position is often referred to in the anglicized word captain. The individual members of the family are referred to as members, soldiers, or as a made man or as a button man.

The families are governed in matters of import of policy and in matters arising between families by the national commission whose numbers can vary, which is made up of the leaders of the major families. Those families whose leaders do not serve on the

commission may have their interests represented by a commission member.

Other terms for the organization or its individual families, often used by outsiders, are the Mafia, the organization, the clique, the boys, the office, the arm. (*HSCA Hearings*, V, 427-28).

A final comment is in order concerning the Italian origins of the Mafia—as noted by Ralph Salerno, himself of Italian descent. The Mafia is an aberration that victimized those of its own extraction before migrating to other domains. The preposterous notion that its frank discussion slights Italians has been promoted almost exclusively by Mafia members themselves.

Salerno was not brought in to tie Ruby to the Mafia, only to put the nature of the Mafia in its correct and precise perspective.

049: Judge Burt W. Griffin

September 28, 1978

Burt Griffin was a junior counsel with the Warren Commission and was brought before the committee to explain the machinations of that commission that he had served.

Mr. Griffin started his testimony by saying that the real questions for the House Committee should be toward the future. In other words, rather than attempting to reach a conclusion as to how President Kennedy happened to be killed and why and who may have participated, the real questions are for the future. After reading the testimony of Ford, Cooper, and McCloy, Mr. Griffin adds nothing to the record that we don't already know. His position, like the other members of the Commission, has not changed one iota.

He did enumerate certain failures of the Warren Commission, but nothing that would at all alter the final verdict of the Commission. This of course is why he stated at the outset that the purpose of the Committee should look to the future to try and prevent those failures from ever occurring again, in the event of another political assassination in this country. Another reason is that Mr. Griffin believes the Warren Commission solved the

case 14 years prior to the emergence of the House Committee. The House Committee would see things a little differently than Mr. Griffin. They would find a "probable conspiracy" in the probe to find the truth about the assassination of President Kennedy.

050: Dr. Mark Weiss December 29, 1978 (w/Dr. E. Aschkenasy, H. B. McLain)

One can easily imagine the Committee's astonishment when it heard Dr. James Barger's testimony concerning the Dallas police tape (dictabelt). The medical, ballistics, and other scientific evidence clearly pointed to a lone assassin firing from the rear. Now, Barger raised the distinct possibility of shots fired from the front and rear. If that turned out to be the case, then at least two assassins must have shot at the president. The press had largely downplayed the acoustics analysis because Barger had hedged his testimony, saying that it was only a 50-50 probability there was a fourth shot. The 50-50 probability came from the fact that the position of the motorcycle had only been estimated within eighteen feet. To refine Barger's analysis, the committee hired acoustics expert Mark Weiss of Queens College of the City University of New York and his research associate, Ernest Aschkenasy. The committee charged Weiss and Aschkenasy with determining whether or not a shot was indeed fired from the grassy knoll (*HSCA Report 72*).

Using a precise scale plot map of Dealey Plaza, Weiss and Aschkenasy computed the type of impulses that a Grassy Knoll shot would have caused. Then they carefully examined the Dallas police tape to search for such impulses. They found an impulse sequence on the tape that matched their calculations to within 1/1,000 of a second. The precision of the match was so great that they concluded that there was a 95 percent probability of a shot's being fired from the grassy knoll, a probability so strong that it ruled out random tape noise and other possible causes for the impulses on the tape. Weiss and Aschkenasy testified that their acoustical analysis proved beyond any reasonable doubt

that a supersonic bullet was fired at the presidential limousine from the grassy knoll (HSCA Hearings, V, 556).

Weiss and Aschkenasy testified for several hours—explaining their charts and diagrams, saying that the analysis was simple to understand, that it could be “understood by anybody who has ever heard an echo” (HSCA Hearings, V, 588).

Some of the congressmen resisted. Congressman Edgar asked: “Dr. Weiss, are you aware of the phenomenon that exists out on the open sea when ships are trying to locate the port and they hear a foghorn in the distance? Are you aware... that occasionally the sound from that foghorn directs the ship in a false direction, as opposed to the accurate direction of seeking a safe harbor, and in fact in some instances those ships wind up on the rocks and go in exactly the opposite direction of where they should go?”

The metaphor was clear. Dr. Weiss answered simply, “No, sir, I am not,” (HSCA Hearings, V, 609) and the audience exploded with laughter and applause.

The experts had tested the tape against Dealey Plaza with only two assumed shooter locations. With more extensive tests, it could well be that other information on the tape might represent the sounds of additional shots. Blakey himself said to more than one researcher that there might be more than four shots on the tape, but he treated that statement as an “investigative hypothesis.” I thought it was a good one.

The acoustical studies by Weiss and Aschkenasy, reviewed and supported by Barger, convinced a majority of the committee members that the assassination of John Kennedy resulted from a conspiracy. Having established the high probability of a conspiracy, the committee sought to identify its nature and the individuals involved in it.

051: Dr. Ernest Aschkenasy December 29, 1978 (w/Dr. M. Weiss, H. B. McLain)

The testimony of Dr. Aschkenasy and Dr. Weiss are virtually the same, as they worked together and came to the exact same conclusions. There was no disagreement between these two scientists.

052: H. B. McLain December 29, 1978 (w/Dr. M. Weiss, Dr. E. Aschkenasy)

Officer H.B. McLain was riding a motorcycle 352 to the left rear of the presidential limousine. On Friday, December 29, 1978, the House Committee met in a crowded caucus room of the Cannon House Office Building for its final public hearing, which was covered by live television. The HSCA first reviewed the witness testimony as to the number, interval, and origin of the shots that the Warren Commission had rejected as not credible. They then called Weiss, Aschkenasy, H.B. McLain (still a Dallas police officer), and Barger.

Weiss and Aschkenasy reviewed their work. They had become involved at first only to review Barger's proposed test in Dallas in August. After Barger's September testimony, they had been asked to try to move the uncertainty off center either way. They started their work in October and finished in late December. The result was "a probability of 95 percent or better that there was indeed a shot fired from the grassy knoll. They were able to place the shooter within a five-foot circumference. They could pinpoint the location of the microphone to within a foot and a half. They knew that the weapon had fired a supersonic bullet, since a shock wave had preceded the sound of the muzzle blast (they could detect both phenomena on the tape). The weapon could have been a rifle or a pistol, since either could fire supersonic ammunition. They explained how they knew the microphone had been shielded at various points by the windshield of the motorcycle. In their calculations, they had made allowances for possible small error on the scale map they had used (less than one foot); air-temperature and humidity variances; and the

characteristics of the type of radio equipment used by the Dallas police in 1963. They had double-checked their calculations, and, yes, they were satisfied with their conclusions beyond a reasonable doubt. In addition, the scientific principles they had employed were little more than high school physics and geometry. Anyone who had heard an echo could understand what was involved, so they claimed. The sound, supposedly, could not have been a motorcycle backfire since it was preceded by the supersonic shock wave. In any event, there was no motorcycle behind the picket fence. Obviously, the bell tolling on the tape had come from somewhere other than Dealey Plaza. Could the sound have come from a different area? Only if the other area were an exact acoustical replica of Dealey Plaza, and the shots had been fired there too. "If somebody were to tell me that the motorcycle was not in Dealey Plaza," Aschkenasy noted, "[that] he was transmitting from some other location,...I would ask to be told where that location is,...I would go there, and,...I would expect to find a replica of Dealey Plaza..." The shot had not been fired up in the air, they said, but at the presidential limousine. No, according to Weiss and Aschkenasy, the sound of the grassy knoll could not have been an acoustical mirage. The distance was too short, and the sequence of echoes was inconsistent with a mirage. The conclusion was, they said, inescapable; it was not a matter of interpretation; there didn't seem to be any way to make those numbers go away, no matter how hard they tried.

Officer McLain appeared next. He recognized himself on his motorcycle in the photographs showing him at the right time and place. But he said that he had heard only one shot. (He had said two in an earlier interview.) His radio was normally on Channel One, but he had no memory of using it that day. McLain could not testify that it was his microphone that had stuck because he did not remember, but it was a common problem with his equipment. After the shots were fired, the presidential limousine took off for the hospital. McLain left too, but he did not catch the limousine until it was on Stemmons Freeway. (Back in Dallas after the hearing, McLain told a CBS newsman that he believed it was not his microphone that had recorded the sounds. He cited the sound of sirens on

the tape, saying he believed he had turned his siren on while he was still in Dealey Plaza. Ultimately, the Committee decided that the tape, not McLain's memory, was correct.)

Barger rounded out the testimony for the day. He told how the pattern of sound (muzzle blast and echo) received by the microphone for each rifle location was unique. He described how he was able to determine that the microphone was to the left and to the rear of the presidential limousine, where the photographs ultimately placed McLain. He explained the sound of the sirens on the tape (that had troubled McLain). While McLain's motorcycle was running, his radio microphone could not pick up any siren more than three hundred feet away. The evidence indicated that McLain did not turn on his siren right away, and he did not catch up with the other vehicles in the motorcade, whose sirens were sounding, until he reached Stemmons Freeway. (The necessary implication of Barger's testimony was that if McLain remembered that he had turned on his siren immediately, the tape indicated he was mistaken.) Barger noted that there was no evidence on the tape of a supersonic shock wave accompanying the first two shots, even though the ballistic tests indicated Oswald's rifle fired supersonic ammunition. This was so, he explained, because McLain's motorcycle at the time of the first two shots was outside the area where the shock wave would have been picked up by his microphone. At the time of the third and fourth shots, McLain was in a position to have picked up the shock waves, and they did appear on the tape. Barger repeated his statistical analysis of the confidence level -- 95 percent or better -- and then added, in plain language, that he was quite confident he had measured gunshots.

The House Select Committee on Assassinations concluded the hearing by showing the Zapruder film with the tape-recorded sounds of shots from the Barger reconstruction in August 1978 dubbed in at the points in time when they were fired on November 22, 1963. It was as if everyone had returned to Dealey Plaza to hear, as well as see, the assassination. The effect, even viewed on videotape, is awesome. The hearings had begun with Governor and Mrs. Connally testifying to what they remembered; the hearings

ended with a demonstration of what modern science had allegedly proven. The Committee came to historic conclusions. It had reviewed the evidence of what had occurred on November 22, 1963, principally as it had been developed by the scientific projects in the fields of photography, forensic pathology and dentistry, ballistics, neutron activation analysis, and acoustics. There was a seemingly coherent and compelling scenario of the basic facts of the assassination.

Dr. Martin Luther King. Gonzalez was further inspired by the revelation of the Church Committee Report. The first public showing of the Zapruder film on national television, in 1975, also added public pressure. Finally, on October 17, 1976, the House of representatives approved the bill, and appointed its own Select Committee on Assassinations to probe domestic assassinations in the same manner the Church Committee had explored plots against foreign leaders.

Those who had pushed for JFK assassination and the government was releasing information that was inadequate.

But the Select Committee was not the only one that was formed. A named attorney Richard A. Sprague, who was a member of the Senate, caused great alarm in the critical moments. He was a member of the Senate, and was a member to Arlen Specter, developed a plan to investigate the problem, however. Internal bickering over the investigation was to take almost derailed the investigation. In 1977, Sprague, Lewis Stokes of Ohio was selected as the new chairman, and the investigation was replaced Sprague that work finally got underway. The investigation was a national Black Caucus with applying the political muscle that Stokes got the investigation off the ground.

Regular closed-door meetings began in the summer of 1977. By September, 1978, the committee was prepared for public testing of the JFK murder. On July 29, 1979, the

CONCLUSION

On February 19, 1975, Representative Henry Gonzalez of Texas introduced a bill calling for a Congressional investigation into the deaths of John and Robert Kennedy, and Dr. Martin Luther King. Gonzalez was further inspired by the revelation of the Church Committee Report. The first public showing of the Zapruder film on national television, in 1975, also added public pressure. Finally, on October 17, 1976, the House of representatives approved the bill, and appointed its own Select Committee on Assassinations to probe domestic assassinations in the same manner the Church Committee had explored plots against foreign leaders.

Those who had pursued the JFK assassination trail for years felt vindicated. The government was reopening the case; the Warren Report was now officially deemed inadequate.

But the Select Committee ran into controversy right out of the gate--when it named attorney Richard A. Sprague as its chief counsel. This appointment caused great alarm in the critical community. In Philadelphia, Sprague had served as first assistant to Arlen Specter, developer of the single bullet theory. Sprague wasn't the problem, however. Internal bickering over procedural matters and the direction the investigation was to take almost derailed the whole project. It wasn't until Rep. Lewis Stokes of Ohio was selected as the new chairman, and law professor G. Robert Blakey replaced Sprague that work finally got underway. Critics credit the Congressional Black Caucus with supplying the political muscle that finally got the new investigation off the ground.

Regular closed-door meetings began in the summer of 1977. By September, 1978, the committee was prepared for public hearings on the JFK murder. On July 29, 1979, the

House Select Committee on Assassinations published its final report. The primary conclusions were as follows:

The Warren Commission had been almost entirely correct in its original reconstruction of the actual assassination. The House Committee had employed a battery of scientists to examine each controversial aspect of the Warren Report, and the results of these new tests persuaded the majority of committee members that the Commission had been correct on almost each point.

Lee Harvey Oswald had fired three shots at President Kennedy, and one of those bullets had passed through the President to wound Governor Connally. Arlen Specter had been correct. The "magic bullet" theory was substantiated.

Where the Warren Commission had gone wrong--through no fault of its own, the Committee stated--was on the matter of a fourth bullet. Based on acoustical evidence which the Committee had uncovered--a microphone on one of the police escort motorcycles had been left open, producing a dictabelt recording of the actual shooting--the House Committee concluded that a second assassin had fired a fourth shot from the back of the grassy knoll. The President of the United States had in fact been killed by a conspiracy involving at least two shooters, the Select Committee announced.

The identity of this second gunman remained a mystery, however. In a carefully worded statement, the committee said that the available evidence did not "preclude the possibility" that individual members of certain anti-Castro groups, or individual members of the Mob may have been involved. The Committee, however, did rule out the possibility that either Oswald, or his unknown associate, had been working on instructions from either Castro, or the KGB.

Turning the entire Report over to the Justice Department, the committee urged Justice to take a new and hard look at the two leading suspects behind the Kennedy assassination: Santos Trafficante and Carlos Marcello.

In what would become one of its most hotly-contested conclusions, the House Committee also rules out the possibility that any official agencies--from the Dallas police to the CIA--had played any active role in the murder.

What is truly fascinating is how precious little attention was paid to this Report in the public press. The *New York Times* was derisive and sly in its response. "To the lay public," the *Times* editorialized on January 7, 1979, "the word [conspiracy] is [usually] freighted with dark connotations of malevolence perpetrated by enemies, foreign and political. But [in this instance] 'two maniacs instead of one' might be more like it."

The *Washington Post* was derisive and angry, suggesting what the Justice Department might now do with the bombshell that had been placed on its desk. "The finding," the *Post* editorialized on January 6, 1979, "appears to be based solely on scientific, acoustical evidence. All that is left is a theory to conspiracy stripped of the international or domestic intrigue on which many of the Warren Commission critics have focused...There seems little reason for the Justice Department to use its resources exploring the dead ends and pursuing the cold trails that the committee is presenting it in the Kennedy case...Leave the matter where it now rests: as one of history's most agonizing unresolved mysteries." The next day, *Washington Post* columnist Richard Cohen added: "This is...a conspiracy between Lee Harvey Oswald and someone like him--Oswald Harvey Lee. Make up a name. It's a clone of the same man."

How the House Select Committee discovered a fourth shot, and a second assassin, is a story worth telling in more detail. On Saturday morning, September 17, 1977, Professor Robert Blakey, the newly appointed Chief Counsel of the House Select Committee on Assassinations, hosted a rather unusual meeting in Room 3618 of the House Annex No. 2 Building in Washington, D.C. Joining Blakey in private conference that morning were nine of the Warren Report's most persistent critics. Josiah Thompson, Paul Hoch, and Peter Dale Scott had flown in from California. Larry Harris, J. Gary Shaw and Mary Ferrell had come up from Dallas. Sylvia Meagher had arrived from New York City. And

Jim Kostman and Kathy Kinsella had joined the rest of their colleagues from the newly formed Assassination Information Bureau in D.C. The "Buffs" were being made welcome at last at the Capitol.

The first day belonged almost entirely to the critics. Blakey asked the critics to tell him where they would recommend he focus the new investigation and the critics most happily complied. At the end of the first day, Mary Ferrell, the Dallas-based critic whose research abilities are considered legend by her colleagues, turned over to Blakey a copy of a Dallas police department dispatch tape which she suggested he might want to hear. The microphone of one of the escort police motorcycles had been left on, and at the exact moment of the assassination, the dispatch tape recorded the sounds of the shooting. Listen very closely, Ferrell told Blakey, and I think you will hear at least four shots.

Blakey realized instantly, of course, what Ferrell was telling him. Using a Mannlicher-Carcano rifle, a lone gunman would only have had time to get off three shots--three, and three only. A fourth shot would require a second gunman. A fourth shot, in short, would require conspiracy.

Blakey had no recourse but to take Mary Ferrell's tape quite seriously. The chief counsel's first job was to find the original of this tape. In short order, the tape was found in the possession of Paul McCaghren, a retired officer who had formerly headed up the Intelligence wing of the Dallas Police Department. McCaghren had removed the tape from the department for fear it might get lost. The tape, and its supporting materials, were logged in as a part of the Committee's files.

Blakey's next step was to seek an independent, preliminary analysis of the contents. He sent the tape to Dr. James Barger, of the firm Bolt, Beranek and Newman, Inc., located in Cambridge, Massachusetts. BBN was the firm chosen by Judge John Sirica to examine the infamous "18 minute gap" tape during the Watergate case. Blakey requested that Barger first determine if any gunshots at all had been recorded.

On July 13, 1978, Dr. Barger called the Chief Counsel in Washington. The scientist said he felt a little sick to his stomach, and strangely embarrassed. Upon analysis, he was forced to report that the tape had recorded the sounds of three to five gunshots. Based on this finding, Barger would now recommend further and more elaborate tests.

On August 20, Blakey and Barger met in Dealey Plaza to attempt an acoustical reconstruction of the shootings. As Blakey would later write in his book, *The Plot to Kill the President*, "for five hours, Barger, his staff and ours, and the Dallas police, orchestrated a slow drum roll of fifty-seven gunshots that broke the still of the morning, each slamming harmlessly into sandbags and echoing into an array of microphones spotted along the path of the 1963 motorcade." Care was taken to insure that the acoustic environment was identical to the circumstances which had prevailed at noontime on Nov. 22, 1963.

Less than a month later, on Sept. 12, 1978, Dr. Barger appeared before the House Committee to discuss his findings. Based on 2,592 calculations, involving 432 combinations of rifle shots and microphone locations, he was now prepared to state that four shots had rung out that noontime in Dallas. Moreover, with a probability factor of 87.5%, three of those shots had been fired from the general direction of the Texas School Book Depository. With a probability factor of only 50%, a fourth shot had likely been fired from the grassy knoll. Blakey realized immediately that this was not enough. "We had reached the goal line," he would later write, "but we had not scored."

Blakey then went in search of a second opinion. With Barger's help, he turned the evidence over to computer scientists Mark Weiss and Ernest Aschkenasy in New York. The two scientists then developed acoustic "fingerprints" for the grassy knoll shot. On December 18, 1978, Blakey was able to present the full committee the results of tests conducted by Drs. Weiss and Aschkenasy. Like Barger before them, the two men also felt queasy about what they had found.

The grassy knoll shot was there all right. From its fingerprint, the scientists were able to deduce within a margin of error of plus or minus one and a half feet the exact location of the microphone which had recorded the shot. This location corresponded exactly to where the Dallas police had at the time already located the motorcycle in question. The two scientists then reached an even more astounding conclusion. The acoustic fingerprint located the grassy knoll gunman within a margin of error of plus or minus five feet in circumference, at the exact point behind the wooden fence where Lee Bowers had once seen an unidentified man standing, and Sam Holland and his five railroad co-workers, had seen a puff of smoke arise in the seconds after the actual shooting. There was at least one additional shooter working from behind the fence. Josiah Thompson, among others, had been right all along.

Blakey knew instantly what he had, and so did all the other members of the Committee. Blakey had that sinking feeling in his own stomach now; he knew his fate would soon be joined to the cuckoo world where the birds had been singing "conspiracy, conspiracy, conspiracy" for years. Eleven days later, on December 29, 1978, by a vote of seven to two, the House Select Committee announced these conclusions to an astonished world.

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